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for Information Collection Requirements under the
Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*
Proposed Rule to Amend 40 CFR Part 8
Environmental Impact Assessment of Nongovernmental Activities in Antarctica
January 2001

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Attachment 2: 16 U.S.C. 2403a.

Attachment 3: Intent to Prepare an Environmental Impact Statement for the Final Rule for Environmental Impact Assessment of Nongovernmental Activities in Antarctica; Notices, *Federal Register*, Vol. 62, No. 90, Friday, May 9, 1997, 21611-25613.

Attachment 4: International Association of Antarctica Tour Operators (IAATO),
Membership Directory at:
http://www.iaato.org/members_list.html.

**Proposed Rule to Amend 40 CFR Part 8
Environmental Impact Assessment of Nongovernmental Activities in Antarctica
January 2001**

**SUPPORTING STATEMENT
for Information Collection Requirements under the
Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.***

1. IDENTIFICATION OF THE INFORMATION COLLECTION

1(a) TITLE OF THE INFORMATION COLLECTION: "Environmental Documentation and Associated Reporting for the Proposed Rule to Amend 40 CFR Part 8, Environmental Impact Assessment of Nongovernmental Activities in Antarctica"

1(b) SHORT CHARACTERIZATION/ABSTRACT: The Environmental Protection Agency (EPA) has proposed a rule to amend 40 CFR Part 8, the regulations for Environmental Impact Assessment of Nongovernmental Activities in Antarctica. These regulations are being proposed in accordance with the Antarctic Science, Tourism, and Conservation Act of 1996 (Act), 16 U.S.C. 2401 *et seq.*, as amended, 16 U.S.C. 2403a, which implements the Protocol on Environmental Protection (Protocol) to the Antarctic Treaty of 1959 (Treaty). The proposed regulatory action would amend 40 CFR Part 8 by replacing the Interim Final Rule that was promulgated by EPA on April 30, 1997 (Attachment 1). For purposes of this Supporting Statement, the proposed amendment to 40 CFR Part 8 is herein referred to as the "Proposed Rule."¹ As with the Interim Final Rule, the Proposed Rule would provide for assessment of the environmental impacts of nongovernmental activities in Antarctica, including tourism, for which the United States is required to give advance notice under Paragraph 5 of Article VII of the Treaty, and for coordination of the review of information regarding environmental impact assessments received from other Parties under the Protocol. The requirements of the Proposed Rule would apply to operators of nongovernmental expeditions organized in or proceeding from the territory of the United States to Antarctica and include commercial and non-commercial expeditions. Expeditions may include ship-based tours; yacht, skiing or mountaineering expeditions; privately funded research expeditions; and other nongovernmental or nongovernmental-sponsored activities. The Proposed Rule would not apply to individual U.S. citizens or groups of

¹The Proposed Rule would amend 40 CFR Part 8 by replacing the Interim Final Rule. The Proposed Rule is based on the Interim Final Rule with the following modifications: (1) make necessary technical modifications and edits including changing the effective date of the rule, changing the mailing address to be used for submitting EIA documentation, removing the schedule for CEEs for the 1998-1999 season (Section 8.8(b)(1)), and updating the paperwork projections (Preamble VII); (2) add a provision allowing operators to submit multi-year EIA documentation to address proposed expeditions for a period of up to five consecutive austral summer seasons; and (3) add a definition that establishes a threshold for "more than a minor or transitory impact."

citizens planning to travel to Antarctica on an expedition for which they are not acting as an operator. (Operators, for example, typically acquire use of vessels or aircraft, hire expedition staff, plan itineraries, and undertake other organizational responsibilities.)

Environmental Documentation. Persons that would be subject to the Proposed Rule would need to prepare environmental documentation, as appropriate, to support the operator's determination regarding the level of environmental impact of the proposed expedition. Environmental documentation would include a Preliminary Environmental Review Memorandum (PERM), an Initial Environmental Evaluation (IEE), or a Comprehensive Environmental Evaluation (CEE). The environmental documentation would be submitted to the Office of Federal Activities (OFA). If the operator were to determine that an expedition would have: (1) less than a minor or transitory impact, a PERM would need to be submitted no later than 180 days before the proposed departure to Antarctica; (2) no more than minor or transitory impacts, an IEE would need to be submitted no later than 90 days before the proposed departure; or (3) more than minor or transitory impacts, a CEE would need to be submitted. Operators who anticipate such activities would be encouraged to consult with EPA as soon as possible regarding the date for submittal of the CEE.²

The Protocol and the Proposed Rule would also require an operator to employ procedures to assess and provide a regular and verifiable record of the actual impacts of an activity which would proceed on the basis on an IEE or CEE. The record developed through these measures would need to be designed to: (a) enable assessments to be made of the extent to which environmental impacts of nongovernmental expeditions are consistent with the Protocol; and (b) provide information useful for minimizing and mitigating those impacts and, where appropriate, on the need for suspension, cancellation, or modification of the activity. Moreover, an operator would need to monitor key environmental indicators for an activity proceeding on the basis of a CEE. An operator may also need to carry out monitoring in order to assess and verify the impact of an activity for which an IEE would be prepared. For activities that would require an IEE, an operator should be able to use procedures currently being voluntarily utilized by operators to provide the required information.³ Should an activity

²Article 3(4), of Annex I of the Protocol requires that draft CEEs be distributed to all Parties and the Committee for Environmental Protection 120 days in advance of the next Antarctic Treaty Consultative Meeting (ATCM) at which the CEE may be addressed. For example, CEEs to be considered at the May 2002 ATCM for expeditions during the 2002-2003 austral season would have to be distributed by January 2002.

³For example, such information could include, as appropriate and to the best of the operator's knowledge: identification of the number of tourists put ashore at each site, the number and location of each landing site, the total number of tourists at each site per ship and for the season; the number of times the site has been visited in the past; the number of times the site is expected to be visited in the forthcoming season; the times of the year that visits are expected to occur (e.g., before, during, or after the penguin breeding season); the number of visitors expected to be put ashore at the site at any one time and over the course of a particular visit; what visitors are expected to do while at the site; verification that guidelines for tourists are followed; description of any tourist exceptions to the landing guidelines; and description of any activity requiring mitigation, the mitigative actions undertaken, and the actual or projected outcome of the mitigation.

require a CEE, the operator should consult with EPA to: (a) identify the monitoring regime appropriate to that activity, and (b) determine whether and how the operator might utilize relevant monitoring data collected by the U.S. Antarctic Program. OFA would consult with the National Science Foundation and other interested Federal agencies regarding the monitoring regime.

In cases of emergency relating to the safety of human life or of ships, aircraft, equipment and facilities of high value, or the protection of the environment which would require an activity to be undertaken without completion of the documentation procedures set out in the Proposed Rule, the operator would need to notify the Department of State within 15 days of any activities which would have otherwise required preparation of a CEE, and provide a full explanation of the activities carried out within 45 days of those activities.⁴

Environmental documents (e.g., PERM, IEE, CEE) would be submitted to OFA and may include electronic copy for ease in providing documentation to the public via the World Wide Web at: <http://www.epa.gov/oeca/ofa>. Environmental documentation would be reviewed by OFA, in consultation with the National Science Foundation and other interested Federal agencies, and would also be made available to other Parties and the public, including tour operators and environmental groups, as required under the Protocol or otherwise requested. EPA anticipates that the types of nongovernmental activities currently being carried out (e.g., ship-based tours and privately funded research expeditions) will typically be unlikely to have impacts that are more than minor or transitory, thus an IEE should be the typical level of environmental documentation submitted. In fact, during the time the Interim Final Rule has been in effect, all respondents submitted IEEs. Paperwork reduction provisions in the Interim Final Rule that were used by the operators included:

- a) incorporation of material into the environmental document by referring to it in the IEE;
- b) inclusion of all proposed expeditions by one operator within one IEE; and
- c) use of one IEE to address expeditions being carried out by more than one operator.

The Proposed Rule includes these paperwork reduction provisions and also includes an additional paperwork reduction provision that would allow operators to submit multi-year environmental documentation to address proposed expeditions for a period of up to five consecutive austral summer seasons.

Coordination of Review of Information Received from Other Parties to the Treaty. The Proposed Rule would also provide for the coordination of review of information received from other Parties and the public availability of that information including: (1) a description of national procedures for considering the environmental impacts of proposed activities; (2) an annual list of any IEEs and any decisions taken in consequence thereof; (3) significant information obtained and any action taken in

⁴During the time the Interim Final Rule has been in effect (e.g., the 1997-1998 through the 2000-2001 austral summer seasons), there were no emergencies requiring notification by U.S. operators.

consequence thereof with regard to monitoring from IEEs and CEEs; and (4) information in a final CEE. This provision would fulfill the United States' obligation to meet the requirements of Article 6 of Annex I to the Protocol. The Department of State would be responsible for coordination of these reviews of drafts with interested Federal agencies, and for public availability of documents and information. This portion of the Proposed Rule does not impose paperwork requirements on any nongovernmental person subject to U.S. regulation.

2. NEED FOR AND USE OF THE COLLECTION

2(a) NEED/AUTHORITY FOR THE COLLECTION: The basis for the Proposed Rule is the United States Code as amended: 16 U.S.C. 2401 et seq., as amended, 16 U.S.C. 2403a (Attachment 2).

The Proposed Rule, proposed pursuant to the Antarctic Science, Tourism, and Conservation Act of 1996, would provide nongovernmental operators with the specific requirements they would need to meet in order to comply with the requirements of Article 8 and Annex I to the Protocol on Environmental Protection to the Antarctic Treaty of 1959 and would provide for the environmental impact assessment of nongovernmental activities, including tourism, for which the United States is required to give advance notice under paragraph 5 of Article VII of the Antarctic Treaty of 1959.

The Proposed Rule would also provide for coordination of the review of information regarding environmental impact assessment received by the United States from other Parties under the Protocol. This provision of the Proposed Rule would include Federal agency requirements, but would not impose paperwork requirements on any nongovernmental person subject to U.S. regulation.

The procedures in the Proposed Rule are designed to: ensure that nongovernmental operators identify and assess the potential impacts of their proposed activities, including tourism, on the Antarctic environment; that operators consider these impacts in deciding whether or how to proceed with proposed activities; and that operators provide environmental documentation pursuant to the Act and Annex I of the Protocol. These procedures would be consistent with and implement the environmental impact assessment provisions of Article 8 and Annex I to the Protocol on Environmental Protection to the Antarctic Treaty.

2(b) PRACTICAL UTILITY/USERS OF THE DATA:

Role of the Information in Regulatory Decisions: The Office of Federal Activities would use environmental impact assessment information and any associated assessment and verification information to ensure that nongovernmental operators identify and assess the potential impacts of their proposed activities, including tourism, on the Antarctic environment; that operators consider these impacts in deciding whether or how to proceed with proposed activities; and that operators provide environmental documentation pursuant to the Act and Annex I of the Protocol. The procedures in the

Proposed Rule would be consistent with and implement the environmental impact assessment provisions of Article 8 and Annex I to the Protocol. The provisions of the Proposed Rule are intended to ensure that potential environmental effects of nongovernmental activities undertaken in Antarctica are appropriately identified and considered by the operator during the planning process and that to the extent practicable, appropriate environmental safeguards which would mitigate or prevent adverse impacts on the Antarctic environment are identified by the operator.

EPA received comment on the Supporting Statement for the Information Collection Request (ICR) for the Interim Final Rule questioning why the assessment and verification reports were included in the burden estimates. Like the Interim Final Rule, the Proposed Rule would address measures to assess and verify environmental impacts but would not set schedule requirements for submittal of assessment and verification reports. Like the Interim Final Rule, under the Proposed Rule, all proposed activities for which an IEE or CEE would be prepared would need to include procedures designed to provide a regular and verifiable record of the impacts of these activities. Like the Interim Final Rule, the Preamble to the Proposed Rule states that operators should be able to use the annual procedures currently being voluntarily utilized by operators to provide the information. Because measures to assess and verify environmental impacts for all proposed activities for which an IEE or CEE has been prepared were required by the Interim Final Rule and would also be required under the Proposed Rule, and because of the recordkeeping requirements of and burden definition in the PRA, EPA has included this information as an element for the operators for which burden and costs were calculated. Because operators are currently voluntarily providing the information to the government, the burden and cost of review of this information was also included in the government's costs. In this case, EPA believes the PRA, Section 3502(13) clearly supports the view that recordkeeping requirements must be considered inclusively in developing the ICR budget.⁵

As with the Interim Final Rule, the purpose of the Proposed Rule would be to ensure that the United States has the ability to implement its environmental impact assessment obligations for nongovernmental operators under the Protocol. Like Section 8.9(b) of the Interim Final Rule, this section in the Proposed Rule would require that operators have "procedures designed to provide a

⁵The Paperwork Reduction Act, 44 U.S.C. Section 3502, states:

"(13) the term "recordkeeping requirement" means a requirement imposed by or for an agency on persons to maintain specified records, including a requirement to -

- (A) retain such records;
 - (B) notify third parties, the Federal Government, or the public of the existence of such records;
 - (C) disclose such records to third parties, the Federal Government, or the public; or
 - (D) report to third parties, the Federal Government, or the public regarding such records; ..."
- [Underline added for emphasis.]

"Burden" is defined in the Preamble to the Proposed Rule, Section VII, Paperwork Reduction Act, as "... the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. ..." [Underline added for emphasis.]

regular and verifiable record of the impacts of these activities.” The EPA believes that this establishes a requirement that the information be available to EPA. Otherwise, there would be no way to know if an operator was in compliance with this requirement in the regulation. As stated in the Preamble to the Proposed Rule, it is EPA’s view that, at a minimum, an IEE is the appropriate level of environmental documentation for proposed activities and, for activities requiring an IEE, an operator should be able to use procedures currently being voluntarily utilized by operators to provide the required information. For the 1997-1998 season, the International Association of Antarctica Tour Operators (IAATO) carried out a pilot test of a post-visit reporting form, and this information was made available to Treaty Parties. The operators currently provide post-visit reports to Antarctic Treaty Parties. Currently, the National Science Foundation receives the information voluntarily submitted by the tour operators and uses the information to prepare summary reports. EPA assumes this voluntary process of post-visit reporting would continue. EPA intends to review the information voluntarily submitted, and to maintain files. Because operators are currently voluntarily providing the informational reports to the government and because EPA anticipates that this practice will continue, EPA included the burden and cost of review of this information in the government’s costs.

Users of the Information: The procedures in the Proposed Rule would include procedures for environmental documentation, any associated assessment and verification information, and any reporting in cases of emergency. This information would be used as follows:

- By operators to identify and assess the potential impacts of their proposed activities, including tourism, on the Antarctic environment; to consider these impacts in deciding whether or how to proceed with proposed activities; and to provide environmental documentation pursuant to the Act and Annex I of the Protocol. For a CEE, any decision by the operator on whether a proposed activity should proceed in either its original or modified form must be based upon the final CEE as well as other relevant considerations, and the information provided in an evaluation should allow the operator to make decisions based on sound understanding of factors relevant to the likely impact of the proposed activity.
- By OFA, in consultation with other interested federal agencies, to ensure that nongovernmental operators identify and assess the potential impacts of their proposed activities, including tourism, on the Antarctic environment, and that operators consider these impacts in deciding whether or how to proceed with proposed activities. OFA would also make the environmental documentation and any associated assessment and verification information available to other Parties to the Treaty and the public, including tour operators and environmental groups, as required under the Protocol or as otherwise requested. OFA may use the assessment and verification information for such things as tracking Antarctic tourism trends and activities.

3. NONDUPLICATION, CONSULTATIONS, AND OTHER COLLECTION CRITERIA

3(a) NONDUPLICATION: The information that would be requested from respondents under this ICR is required by statute and is not available from other sources. The Act requires these regulations to be consistent with Annex I to the Protocol, and the Proposed Rule would provide nongovernmental operators with the specific requirements they would need to meet in order to comply with the Protocol. Most Antarctica tour operators currently provide, on an informal basis, information to the National Science Foundation prior to each Antarctic season. Operators also provide an advance notice to the U.S. Department of State. This information is similar to the basic information requirements for preparation of environmental documentation under the Proposed Rule. However, like the Interim Final Rule, the Proposed Rule would ensure that nongovernmental operators identify and assess the potential impacts of their proposed activities, including tourism, on the Antarctic environment, and that operators consider these impacts in deciding whether or how to proceed with proposed activities. Even the lowest level of environmental documentation, the PERM, would direct that the assessment process include assessment of the potential direct and reasonably foreseeable indirect impacts on the Antarctic environment of the proposed expedition in sufficient detail to assess whether the proposed activity may have less than a minor or transitory impact, a requirement that leads to consistency with Article 8 and Annex I of the Protocol. Operators can, and under the Interim Final Rule usually did, include a copy of the advance notice as part of their EIA documentation.⁶ However, as with the Interim Final Rule, simply providing a copy of the advance notice submitted to the Department of State as the environmental documentation would not meet the requirements of Article 8 and Annex I of the Protocol or the provisions of the Proposed Rule.

3(b) Public Notice Required Prior to ICR Submission to OMB:

The Office of Federal Activities published in the Preamble to the Proposed Rule at Section VII, Paperwork Reduction Act, a request for public comments on the ICR. OFA has mailed a copy of the Proposed Rule, including the Preamble with the ICR notice, to all persons who have expressed interest in this project and are listed on the project's mailing list. The Preamble information contains the burden estimates for the Proposed Rule.

3(c) Consultations: The Office of Federal Activities held a public scoping meeting on July 8, 1997, to provide an overview of the Interim Final Rule and to take public comment on environmental and regulatory issues EPA should consider in developing the Draft Environmental Impact Statement (EIS) for the Proposed Rule and alternatives, and to address the environmental and regulatory issues raised by interested agencies, organizations, groups and individuals. One of the issues specifically listed in the "Notice of Intent" for the EIS (*Federal Register*/Vol. 62, No. 90/Friday, May 9, 1997, 25611-25613 (Attachment 3), was the paperwork projection in the Interim Final Rule. Attendees at the public scoping meeting included:

⁶Alternately, under the paperwork reduction provisions of the Interim Final Rule, and now the Proposed Rule, operators could choose to incorporate it by referring to it since it is reasonably available to EPA. Practice has been that the operators have included a copy in their EIA documentation.

- the Executive Secretary and legal counsel for IAATO;⁷
- IAATO-member tour operators and other tour operators;
- the Director of The Antarctica Project/Antarctic and Southern Coalition (TAP/ASOC);⁸
- academics with Antarctic/international law and environmental regulation interests; and
- the general public.

None of the meeting participants offered comments on the ICR for the Interim Final Rule. However, in comments received on the Supporting Statement for the ICR, IAATO indicated that EPA's assumptions about the information collection process were generally correct and that the estimates of burden (costs and time) were essentially accurate. Thus, for purposes of the Proposed Rule, EPA has estimated the burden using the same general process.

The Proposed Rule provides that EPA, in consultation with other interested Federal agencies, would review environmental documents. These other interested Federal agencies have been identified and are included in the estimate of burden for the Federal government.⁹ In addition, the Department of State agrees with its responsibilities under the Proposed Rule at Section 8.12, Coordination of reviews from other Parties.

3(d) Effects of Less Frequent Collection: Like the Interim Final Rule, the Proposed Rule would require environmental documentation for each operator for each nongovernmental expedition to Antarctica. Nongovernmental activities are likely to be limited to seasonal tours during the austral summer season and operators would report annually on their proposed expeditions, including tourism expeditions. Operators with one-time only expeditions would report only during the season for which their expedition is planned. In order to minimize paperwork and to implement the regulations without undue burden on operators, the Proposed Rule would provide that: (1) material may be incorporated by referring to it in the environmental document when it is reasonably available to EPA; (2) more than one proposed expedition by an operator may be included within one environmental document; (3) one environmental document may also be used to address expeditions being carried out by more than one operator; and (4) operators may submit multi-year environmental documentation to address proposed expeditions for a period of up to five consecutive austral summer seasons. Once

⁷IAATO is the principle representative of the tour industry and U.S.-based IAATO-member operators are the primary respondents that would be subject to the Proposed Rule.

⁸The Antarctica Project (TAP) is the northern hemisphere secretariat for the Antarctic and Southern Ocean Coalition (ASOC) which is composed of various environmental organizations with interests in preserving the Antarctic environment.

⁹Under the Interim Final Rule, the interested Federal agencies included those on EPA's regulation development workgroup. Although active on EPA's workgroup to develop the Proposed Rule, certain of these agencies would not routinely take part in the document reviews under the Proposed Rule thus they are not included in the estimated burden for the Federal government for the Proposed Rule.

environmental documentation has been prepared for a season, EPA anticipates that an operator would resubmit the same document for subsequent seasons provided the level and intensity of the activities are not unchanged and that relevant updates are included. Updates are likely to include such items as: dates of expeditions and changes in landing locations. The operator would revise the document to address modifications to the expedition's activities that could have environmental consequences. Most operators are likely to employ the multi-year provision thereby further reducing their annual reporting burden. Under this new paperwork reduction provision in the Proposed Rule, operators may submit multi-year environmental documentation.¹⁰ This provision would allow operators to specifically identify and assess expeditions on a multi-year basis thus eliminating the need for annual submission of environmental documentation with the exception of an annual advance notice and confirmation that the information provided in the multi-year document is unchanged.

The Protocol and the Proposed Rule would also require an operator to employ procedures to assess and provide a regular and verifiable record of the actual impacts of any activity which proceeds on the basis of an IEE or CEE. For activities requiring an IEE, an operator should be able to use the annual procedures currently being voluntarily utilized by operators to provide the information.

3(e) General Guidelines: The information collections associated with the Proposed Rule follow OMB's guidelines. Section II.F. of the Preamble, Submission of Environmental Documents, indicates that an operator would submit five copies of its environmental documentation, along with an electronic copy in HTML format, if available. EPA would coordinate review of the document with other interested Federal agencies and would make documents received available to the other Federal agencies and the public. EPA believes that five copies (total) would not place undue burden on the operator and would enable EPA to distribute copies to the reviewing agencies in a timely manner, particularly in light of the timing requirements for document submission and review prior to departure for the expedition.

3(f) Confidentiality: The Proposed Rule does not require submittal of confidential information, nor does EPA anticipate that operators would submit confidential information as part of their environmental documentation.

3(g) Sensitive Questions: The Proposed Rule does not require response to sensitive questions (e.g., questions concerning sexual behavior or attitudes, religious beliefs, or other matters usually considered private).

4. THE RESPONDENTS AND THE INFORMATION REQUESTED

4(a) RESPONDENTS/SIC AND NAICS CODES: The requirements of the

¹⁰The multi-year documentation provision was recommended to EPA during the scoping process for the EIS and was considered in the EIS prepared by EPA that considered the alternatives for the Proposed Rule.

Proposed Rule would apply to operators of nongovernmental expeditions organized in or proceeding from the territory of the United States to Antarctica for which the United States is required to give advance notice under Paragraph 5 of Article VII of the Treaty and includes commercial and non-commercial expeditions.¹¹ Expeditions could include ship-based tours; yacht, skiing or mountaineering expeditions; privately funded research expeditions; and other nongovernmental or nongovernmental-sponsored activities. The Proposed Rule would not apply to individual U.S. citizens or groups of citizens planning to travel to Antarctica on an expedition for which they are not acting as an operator. (Operators, for example, typically acquire use of vessels or aircraft, hire expedition staff, plan itineraries, and undertake other organizational responsibilities.) Further, the Act is specific for nongovernmental activities, thus governmental jurisdictions would not be subject to these regulations.

4(b) INFORMATION REQUESTED:

Data items, including recordkeeping requirements: The Proposed Rule would provide nongovernmental operators with the specific environmental documentation requirements they would need to meet in order to comply with relevant portions of the Protocol. Nongovernmental operators, including tour operators, conducting expeditions to Antarctica would be required to submit environmental documentation to EPA that evaluates the potential environmental impact of their proposed activities. The type of environmental document required would depend upon the nature and intensity of the environmental impacts that could result from the activity under consideration. Like the Interim Final Rule, under the Proposed Rule environmental documentation would include a Preliminary Environmental Review Memorandum (PERM), an Initial Environmental Evaluation (IEE), or a Comprehensive Environmental Evaluation (CEE). If the operator were to determine that an expedition would have: (1) less than a minor or transitory impact, a PERM would need to be submitted no later than 180 days before the proposed departure to Antarctica; (2) no more than minor or transitory impacts, including the cumulative impacts of the proposed activity in light of existing and known proposed activities, an IEE would need to be submitted no later than 90 days before the proposed departure; or (3) more than minor or transitory impacts, including the cumulative impacts of the proposed activity in light of existing and known proposed activities, a CEE would need to be submitted.

The Protocol and the Proposed Rule would also require an operator to employ procedures to assess and provide a regular and verifiable record of the actual impacts of an activity which proceeds on the basis on an IEE or CEE, including monitoring of key environmental indicators for an activity proceeding on the basis of a CEE, or, if necessary, an IEE. For activities that would require an IEE, an operator should be able to use procedures currently being voluntarily utilized by operators to provide the required information. For activities that would require a CEE, OFA would consult with the National Science Foundation and other interested Federal agencies regarding the monitoring regime that would be appropriate to the activity proposed, and with regard to possible utilization of relevant

¹¹The SIC Code for Tour Operators is 4725 and the NAICS Code is 561520.

monitoring data collected by the U.S. Antarctic Program.

Environmental documentation would be submitted to EPA by an operator prior to an expedition. For most respondents, including tour operators, EPA assumes this would be an IEE and, as provided in the Proposed Rule at Section 8.4, an operator may: (1) include more than one proposed expedition within one environmental document, and (2) one environmental document may also be used to address expeditions being carried out by more than one operator. An operator could also submit multi-year documentation to address proposed expeditions for a period of up to five consecutive austral summer seasons thus eliminating the need for annual submission of environmental documentation with the exception of an annual advance notice and confirmation that the information provided in the multi-year documentation is unchanged. Operators would not be required to retain the environmental documentation submitted to EPA. There is nothing in the Proposed Rule, however, that precludes an operator from submitting a previous year's documentation, with appropriate updates, for a subsequent year's expedition(s).

In cases of emergency relating to the safety of human life or of ships, aircraft, equipment and facilities of high value, or the protection of the environment which would require an activity to be undertaken without completion of the documentation procedures set out in the Proposed Rule, the operator would notify the Department of State within 15 days of any activities which would have otherwise required preparation of a CEE, and provide a full explanation of the activities carried out within 45 days of those activities.

Enforcement action could proceed pursuant to the Proposed Rule, Section 8.11, against an operator who would violate any provision of the Proposed Rule. Enforcement actions are not, however, subject to the requirements of the Paperwork Reduction Act.

Respondent Activities: The EPA considered the definition of "burden" developed for the PRA and the Office of Management and Budget's (OMB's) final rules on implementing the PRA. EPA used a ship-based tour operator as its model respondent since most U.S.-based nongovernmental activities covered by the Proposed Rule are activities associated with ship-based tourism as summarized in Figure 1.

Figure 1. Numbers of Respondents Submitting Environmental Documentation Under the Interim Final Rule and the Level of Documentation Submitted		
Season	Respondents	Documentation Submitted
1997-1998	9	4 total IEEs submitted including: <ul style="list-style-type: none"> • 1 IEE submitted on behalf of five IAATO-member operators for expeditions to the Peninsula area • 1 IEE submitted by two IAATO-member operators for their expeditions to the Ross Sea area • 2 IEEs submitted by non-IAATO operators
1998-1999	10	4 total IEEs submitted including: <ul style="list-style-type: none"> • 1 IEE submitted on behalf of seven IAATO-member operators for expeditions to the Peninsula area • 1 IEE submitted by one IAATO-member operator for its expeditions to the Ross Sea area • 2 IEEs submitted by non-IAATO operators
1999-2000	12	6 total IEEs submitted including: <ul style="list-style-type: none"> • 1 IEE submitted on behalf of eight IAATO-member operators for expeditions to the Peninsula area • 1 IEE submitted by one IAATO-member operator for its expeditions to the Ross Sea area • 4 IEEs submitted by non-IAATO operators including a one-time only filming expedition and a one-time only cruise-only expedition
2000-2001	13 ¹²	5 total IEEs submitted including: <ul style="list-style-type: none"> • 1 IEE submitted on behalf of nine IAATO-member operators for expeditions to the Peninsula area • 1 IEE submitted by one IAATO-member operator for its expeditions to the Ross Sea area • 3 IEEs submitted by non-IAATO operators including a one-time only trekking expedition

The EPA burden and cost estimate is based on the following activities which EPA assumes a respondent would carry out to prepare and submit the environmental documentation and undertake as assessment and verification procedures.

Assumed Operator Activities Associated With:

1. Preparing and Submitting Environmental Documentation:

1. Read the regulations and evaluate business operations and the expedition(s) activities

¹²Nine IAATO-member operators submitted one IEE for their Peninsula area expeditions but one of the operators did not proceed with its planned tours during the season; this operator plans to continue its operations in the out-years. One non-IAATO operator also submitted an IEE for the 2001-2002 austral season which is not included in the figures listed for the 2000-2001 season.

relative to the regulatory provisions of the Proposed Rule and determine the level of environmental documentation needed;

2. Search reference sources for existing information on environmental conditions at proposed expedition site(s) and compile basic information from company records for use in preparation of the environmental documentation for the proposed expedition(s);

3. Prepare the environmental impact assessment (EIA) documentation (e.g., PERM, IEE or CEE), or review a contractor-prepared document, and submit to EPA; and

4. Revise documentation if necessary, or operator decides to prepare higher level EIA documentation, in response to EPA's comments and submit to EPA.

2. Post-Expedition Assessment and Verification Procedures:

1. Prepare assessment and verification information.

3. Reporting for Cases of Emergency, if necessary:

1. Notify the Department of State of any activities which would have otherwise required preparation of a CEE within 15 days.

2. Provide a full report to the Department of State within 45 days

The Proposed Rule does NOT require or contemplate the need for respondents to:

1. Acquire, install, or utilize technology and systems for the purpose of collecting, validating, and verifying information;

2. Develop, acquire, install, or utilize technology and systems for the purpose of processing and maintaining information;

3. Develop, acquire, install, or utilize technology and systems for the purpose of disclosing and providing information; or

4. Adjust the existing ways to comply with any previously applicable instructions and requirements.

5. THE INFORMATION COLLECTED--AGENCY ACTIVITIES, COLLECTION METHODOLOGY, AND INFORMATION MANAGEMENT

5(a) AGENCY ACTIVITIES: The EPA would consult with the Department of State, the National Science Foundation, and other interested Federal agencies¹³ for activities associated with the Proposed Rule. This would enable government agencies with specific Antarctic interests and expertise to be involved with the review of the environmental documentation for proposed

¹³EPA will routinely consult with the Department of State (DOS) and the National Science Foundation (NSF). EPA may consult with other agencies when appropriate for specific activities. These may include: U.S. Coast Guard (USCG), Marine Mammal Commission (MMC), National Oceanic and Atmospheric Administration (NOAA, including National Marine Fisheries Service), and the Department of Justice (DOJ).

nongovernmental expeditions, as appropriate, including coordination of appropriate information relative to the U.S. Antarctic Program. Further, violation of the provisions of the Proposed Rule could result in enforcement and penalties pursuant to the Antarctic Conservation Act, as amended, as undertaken by the National Science Foundation and/or the Department of Justice. Finally, the Department of State would have specific responsibilities under the Proposed Rule, Section 8.12, Coordination of reviews from other Parties, and for circulating a CEE that would be prepared in accordance with the Proposed Rule at Section 8.8, along with any decisions by the operator relating thereto, to all Parties. Activities associated with the Proposed Rule for the EPA and other Federal agencies consist of the following.

EPA and Other Federal Agencies Activities Associated With:

1. Processing and Reviewing Environmental Documentation Received from Operators:

1. Post receipt of environmental documents on OFA's World Wide Website, and provide copies to other Federal agencies and the public, if requested.
2. Prepare and publish *Federal Register* notice of receipt of draft CEEs and notice of availability for Final CEEs.
3. Review environmental documents, including any appropriate public comments, and provide comments to the operator.
4. Consult with operators on the comments, or any other elements associated with the environmental documentation requirements.
5. Circulate to interested Federal agencies and review the revised or final document submitted by the operator, and notify the operator, if necessary, if the environmental documentation does not meet the requirements of the Protocol and the provisions of the Proposed Rule.
6. Notify the Parties and provide copies to the Committee for Environmental Protection of the annual list of IEEs, draft CEEs and final CEEs.
7. Maintain files.

2. Processing and Reviewing Post-Expedition Assessment and Verification Information:

1. Review assessment and verification information submitted by operators.
2. Maintain files.

3. Processing and Reviewing Reports for Cases of Emergency, if necessary:

1. Notify Parties to the Protocol when activities taken in cases of emergency are reported by operators which required the operator to undertake any activities which would have otherwise required preparation of a CEE.
2. Forward the operator's full explanation of the activities carried out to the Parties.
3. Review assessment and verification information submitted by operator.
4. Maintain file.

4. Processing and Reviewing Environmental Documentation Received from Other Parties:

1. Prepare and publish *Federal Register* notice of receipt of a draft CEE from another Party

and provide copies to other interested Federal agencies and the public, if requested.

2. Review draft CEE and transmit inter-agency response to the Party that circulated the CEE.
3. Provide copies of other environmental documents to interested Federal agencies and the public, if requested. Other environmental documents may include:
 - a) a description of national procedures for considering the environmental impacts of proposed activities;
 - b) an annual list of any IEEs and any decisions taken in consequence thereof;
 - c) significant information obtained and any action taken in consequence thereof with regard to monitoring from IEEs and CEEs; and
 - d) information on a final CEE.
4. Post receipt of significant monitoring information on OFA's World Wide Website.
5. Maintain files.

5(b) COLLECTION METHODOLOGY AND MANAGEMENT: The environmental documentation that would be required by the Proposed Rule would be submitted by operators in accordance with the deadlines in the regulations. These documents would be submitted in hard copy and could also be submitted electronically. The Proposed Rule would mandate specific information to be included in the document, but would not require a specific format. Since the information requirement is the same as that in the Protocol, this would allow flexibility for operators who have multiple international documentation requirements.¹⁴ EPA would, in consultation with other interested Federal agencies, review the environmental documentation relative to the general requirements (e.g., Proposed Rule, Section 8.4) and the specific requirements for each level of documentation (e.g., Proposed Rule, Section 8.6 for PERMs, Section 8.7 for IEEs, and Section 8.8 for CEEs). EPA would provide its comments to the operator, and the operator would then prepare revised documentation, if necessary. Following the final response from the operator, EPA would, with the concurrence of the National Science Foundation, make a finding that the documentation submitted does not meet the requirements of Article 8 and Annex I of the Protocol and the provisions of the regulations. EPA would provide copies of environmental documents to all interested Federal agencies, and the public would be informed of receipt of environmental documents through notice on OFA's Homepage on the World Wide Web, and through the *Federal Register* for CEEs.

5(c) SMALL ENTITY FLEXIBILITY:¹⁵ The PRA incorporated the Regulatory Flexibility Act (RFA) into it. The RFA requires EPA to prepare a regulatory flexibility analysis for any rule that has a "significant economic impact on a substantial number of small entities." As part of the

¹⁴ For example, Sweden has a specific form, and the United Kingdom has a permit system. For purposes of the Proposed Rule, an operator could submit environmental documentation prepared for another country as long as all the elements required by the rule are addressed.

¹⁵ Information, including quoted material, taken from: "Program Office Responsibilities for ICRs for Rules," Environmental Protection Agency, <http://www.epa.gov/icr/rule.htm>.

certification requirement, the EPA must show that the collection:

"reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities, as defined in the Regulatory Flexibility Act (5 U.S.C. 601(6)), the use of such techniques as:
"(1) establishing differing compliance or reporting requirements or timetables that take into account the resources available to those who are to respond;
"(2) the clarification, consolidation, or simplification of compliance and reporting requirements; or
"(3) an exemption from coverage of the collection of information, or any part thereof;

The requirements of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA, 5 U.S.C. 601 *et seq.*) must also be considered. The Small Business Administrations' size eligibility provisions and standards are codified at 13 CFR Part 121. Section 601 of the RFA defines a "small entity" to include "small business," "small organization," and "small governmental jurisdiction." These terms are defined as follows:

- A "small business" is defined as any business that is independently owned and operated and not dominant in its field as defined by the Small Business Administration regulations under Section 3 of the Small Business Act.
- A "small organization" is defined as any not-for-profit enterprise that is independently owned and operated and not dominant in its field (e.g., private hospitals and educational institutions).
- A "small governmental jurisdiction" is defined as governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than 50,000. The definition of a small governmental jurisdiction may also include Indian Tribes, in keeping with the President's Federal Indian Policy.

For purposes of assessing the impacts of the Proposed Rule on small entities, small entity has been defined as: (1) a small business as defined by the Small Business Administration with the North American Industry Classification System (NAICS) code for "Tour Operators" (NAICS code 561520) with annual maximum receipts of \$5.0 million (13 CFR Part 121); (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field. Note that under the Antarctic Science, Tourism, and Conservation Act of 1996, governmental jurisdictions are not subject to this rulemaking.

In determining whether a rule has a significant economic impact on a substantial number of small entities, the impact of concern is any significant adverse economic impact on small entities, since the

primary purpose of the regulatory flexibility analyses is to identify and address regulatory alternatives “which minimize any significant economic impact of the proposed rule on small entities.” 5 U.S.C. Sections 603 and 604. Thus, an agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, or otherwise has a positive economic effect on all of the small entities subject to the rule. EPA believes that because this Proposed Rule only requires assessment of environmental impacts the effects on any small entities will be limited primarily to the cost of preparing such an analysis and that the requirements are no greater than necessary to ensure that the United States will be in compliance with its international obligations under the Protocol and the Treaty. The costs are likely to be minimal because it is EPA’s view that the types of activities currently being carried out will typically be unlikely to have impacts that are more than minor or transitory assuming that activities will be carried out in accordance with the guidelines set forth in the ATCM Recommendation XVIII-1, Tourism and Non-Governmental Activities, the relevant provisions of other U.S. statutes, and Annexes II-V to the Protocol. Therefore, most activities will likely need only IEE documentation, the cost of which is minimal as shown in Section 6 of this Supporting Statement and as presented in the Preamble to the Proposed Rule, Section VII, Paperwork Reduction Act. As shown in Section 6 of this document and Exhibit 1B, the average cost per respondent to prepare and submit environmental documentation for the first year is estimated at \$2,668 to \$13,405, and the average cost per respondent to prepare and submit environmental documentation for subsequent years is estimated at \$1,844 to \$14,117, depending on the anticipated level of environmental documentation and the paperwork reduction provisions employed by the respondent. For any small business, this represents a cost of less than 1%. Further, EPA has included provisions in the Proposed Rule which are available to all respondents, including small entities, which will have a positive effect by minimizing the cost of such an analysis. It has been EPA’s experience that respondents used the paperwork reduction provisions in the Interim Final Rule. EPA anticipates that respondents will continue to use these provisions and the new provision that would allow submission of environmental documentation on a multi-year basis. The paperwork reduction provisions in the Proposed Rule include: (1) material may be incorporated by referring to it in the environmental document with its content briefly described when the cited material is reasonably available to the EPA; (2) more than one proposed expedition by an operator may be included within one environmental document and may, if appropriate, include a single discussion of components of the environmental analysis which are applicable to some or all of the proposed expeditions; (3) one environmental document may also be used to address expeditions being carried out by more than one operator, provided that the environmental documentation includes the names of each operator for which the environmental documentation is being submitted pursuant to obligations under these regulations; and (4) one environmental document may be submitted by one or more operators for proposed expeditions for a period of up to five consecutive austral summer seasons, provided that the conditions of the multi-year environmental document, including the assessment of cumulative impacts, are unchanged and that the operator, or operators, also submit an annual advance notice and confirmation that the information provided in the multi-year document is unchanged.

In order to provide for "*establishing differing compliance or reporting requirements or*

timetables that take into account the resources available to those who are to respond" (above) and in consideration of the timing requirements associated with the need to assist new operators who are unfamiliar with the regulations and its schedules, or to assist operators who have unanticipated amendments to their EIA documentation for a particular year, the Proposed Rule at Section 8.5(b) would provide EPA may waive or modify the deadlines of the Proposed Rule if EPA would determine an operator is acting in good faith and that circumstances outside the control of the operator created delays, provided that environmental documentation fully meets deadlines under the Protocol.

In order to provide for *"the clarification, consolidation, or simplification of compliance and reporting requirements" (above)*, the Proposed Rule at Section 8.4 would provide for: (1) incorporation of information by citing and briefly describing information reasonably available to EPA, (2) consolidation of environmental documentation including more than one proposed expedition by an operator and/or expeditions being carried out by more than one operator in a single environmental document, and (3) submission of multi-year EIA documentation to address proposed expeditions for a period of up to five consecutive austral summer seasons with the exception of an annual advance notice and confirmation that the information provided in the multi-year EIA document is unchanged.¹⁶

The Proposed Rule does not provide *"an exemption from coverage of the collection of information, or any part thereof" (above)*. This is because the Proposed Rule would only require assessment of environmental impacts that is limited to the cost of preparing such an analysis and the requirements would be no greater than necessary to ensure that the United States will be in compliance with its international obligations under the Protocol and the Treaty.

5(d) COLLECTION SCHEDULE: The schedule for submittal of environmental documentation would depend on the document to be submitted as described below. An operator could submit environmental documentation prior to these deadlines. In all cases, however, documents would need to be submitted such that the schedule requirements for submitting draft CEEs to the Parties can be met by the United States.

Preliminary Environmental Review Memorandum (PERM): In accordance with the Proposed Rule at Section 8.6, a PERM would need to be submitted to EPA no less than 180 days before the proposed departure of the expedition.

- EPA, in consultation with other interested Federal agencies, would provide its comments to the operator within 15 days of receipt.
- The operator would then have 75 days to revise the PERM or prepare an IEE, if necessary. If an IEE is prepared and submitted within the 75 day response period, it would be reviewed under the

¹⁶For the four austral seasons the Interim Final Rule has been in effect, operators have used all of the available paperwork provisions available under the Interim Final Rule which included: a) incorporation of material by referring to it in the IEE; b) inclusion of all proposed expeditions within one IEE; and c) submission of IEEs that addressed expeditions being carried out by more than one operator.

time frames for an IEE (see below). If a CEE is prepared, it would be reviewed under the time frames for a CEE (see below.)

- Within 30 days, if appropriate, EPA would, with the concurrence of the National Science Foundation, provide notice to the operator that the environmental documentation does not meet the requirements of the Protocol and the provisions of the Proposed Rule.

Initial Environmental Evaluation (IEE): In accordance with the Proposed Rule at Section 8.7, an IEE would need to be submitted no fewer than 90 days before the proposed departure of the expedition.

- EPA, in consultation with other interested Federal agencies, would provide its comments to the operator within 30 days of receipt.
- The operator would then have 45 days to revise the IEE or prepare a CEE, if necessary. If a CEE is prepared, it would be reviewed under the time frames for a CEE (see below).
- Within 15 days of receiving the final IEE from the operator or, if the operator does not provide a final IEE, within 60 days following EPA's comments on the original IEE, if appropriate, EPA would, with the concurrence of the National Science Foundation, provide notice to the operator that the environmental documentation does not meet the requirements of the Protocol and the provisions of the Proposed Rule.

Comprehensive Environmental Evaluation (CEE): In accordance with the Proposed Rule at Section 8.8(b), operators would need to submit a CEE.¹⁷

- Within 15 days of receipt, EPA would: (1) send it to the Department of State for circulation to the Parties and Committee for Environmental Protection; and (2) publish notice of receipt and request for comments in the *Federal Register*.
- EPA would accept public comments for 90 days following the published notice.
- EPA, in consultation with other interested Federal agencies, would provide its comments to the operator within 120 days following the *Federal Register* notice.
- The operator would then need to submit a final CEE 75 days before commencement of the proposed activity in the Antarctic Treaty area.
- Within 15 days of receiving the final CEE from the operator or, if the operator does not provide a final CEE, within 60 days prior to departure of the expedition, if appropriate, EPA would provide notice to the operator that the environmental documentation does not meet the requirements of the Protocol and the provisions of the Proposed Rule.

¹⁷See: Proposed Rule, Preamble, Section II.D.3(c). Article 3(4), of Annex I of the Protocol requires that draft CEEs be distributed to all Parties and the Committee for Environmental Protection 120 days in advance of the next Antarctic Treaty Consultative Meeting (ATCM) at which the CEE may be addressed. For example, for the 2002-2003 season, any operator who plans an activity which would require a CEE would need to submit the draft to EPA by December 1, 2001, in order to ensure time for its distribution to all Parties and the Committee 120 days in advance of the ATCM. Operators who anticipate such activities would be encouraged to consult with EPA as soon as possible regarding the date for submitting the CEE. In fact, there were no CEEs submitted during the four seasons the Interim Final Rule has been in effect.

- If EPA does not provide such notice, the operator would have met all requirements provided that procedures, which may include appropriate monitoring, are put in place to assess and verify the impact of the activity.

- No later than 60 days before commencement of the proposed activity in the Antarctic Treaty area, EPA would: (1) transmit the CEE, along with notice of any decisions by the operator, to the Department of State for circulation to the Parties, and (2) publish notice of availability of the final CEE in the *Federal Register*.

Information to Assess and Verify Impacts: There would be no set schedule requirements in the Proposed Rule for submitting information on measures to assess and verify environmental impacts. It is assumed tour operators would continue to provide the information on the same schedule they have voluntarily following under the Interim Final Rule in providing information to the National Science Foundation, and that any other operators would also voluntarily provide information. Under the Interim Final Rule, operators often specified this schedule within the environmental document for the expedition.

Reporting for Cases of Emergency: In accordance with the Proposed Rule at Section 8.10, within 15 days in cases of emergency, an operator would need to report notice of any activities which would have otherwise required preparation of a CEE to the Department of State, and within 45 days of those activities, a full explanation of the activities carried out.

6. ESTIMATING THE BURDEN AND COST OF THE COLLECTION

6(a) ESTIMATED ANNUAL RESPONDENT BURDEN AND COST

Exhibits 1A, 1B (including Table 1), and 1C present the estimated respondent (e.g., operator) burden and cost for the three possible levels of environmental documentation (e.g., PERM, IEE, CEE) and associated post-expedition assessment and verification procedures. Exhibit 1D presents the estimated respondent burden and cost for reporting for cases of emergency. Respondent burden tables were prepared for each type of environmental documentation since the effort should increase as an increasing level of environmental documentation is required; e.g., from PERM to IEE to CEE .

The model respondent used in the estimates is a nongovernmental, U.S.-based Antarctic tour ship operator.¹⁸ The estimated burden and cost for operators is based on the assumption that most environmental documentation submitted by operators will be IEEs. As stated in the Preamble to the

¹⁸For the four austral summer seasons the Interim Final Rule has been in effect, environmental documentation was submitted primarily by ship-based tour operators and one privately funded researcher; most of the U.S.-based tour operators are members of IAATO. (See Attachment 4, IAATO Membership Directory.) Full Members are experienced for-profit companies that organize and/or operate travel programs to the Antarctic; Associate Members are other organizations and individuals interested in or promoting travel to the Antarctic. (From: IAATO Bylaws, Article III: Membership, Section A)

Proposed Rule (Section II.D.3(b)), at a minimum, an IEE is typically the appropriate level of environmental documentation for proposed activities. It is EPA's view that the types of nongovernmental activities that are currently being carried out will typically be unlikely to have impacts that are more than minor or transitory assuming that activities will be carried out in accordance with the guidelines set forth in the ATCM, Recommendation XVIII-1, Tourism and Non-Governmental Activities, the relevant provisions of other U.S. statutes, and Annexes II-V to the Protocol. In fact, during the four austral summer seasons the Interim Final Rule has been in effect, IEEs have been submitted by operators as summarized in Figure 1.

The following elements further discuss the assumptions factored into the estimated respondent burden and cost.

1. Number of Respondents: Based on EPA's experience during the four austral summer seasons the Interim Final Rule has been in effect (see Figure 1), the total number of respondents is estimated as fourteen and the number of IEEs likely to be submitted as five as delineated in Figure 2.

FIGURE 2. Estimated Respondents and Anticipated Level of EIA Documentation Considering EPA's Experience Under the Interim Final Rule		
<u>Operators</u>	<u>No. Operators</u>	<u>No. IEEs</u>
U.S.-based IAATO-member tour operators	9 Peninsular Area	1
U.S.-based IAATO-member tour operators	1 Ross Sea Area	1
U.S.-based non-IAATO member tour operators	2	1
U.S.-based privately funded researcher	1	1
U.S.-based other possible respondent (e.g., one-time expedition, one per season)	1	1
TOTAL ESTIMATED	14	5

2. Basis for Personnel Cost Estimates: The cost estimates are based on consideration of assumed comparable estimated costs for EPA personnel, except for the Attorney rate which is an estimate of the commercial rate. The EPA estimated rates used in the calculations are fully loaded, that is, they incorporate overhead and fringe benefits. (See: Section 6(b).)

3. PERM Model for Respondent Submittals: For PERMs, the estimated burden and cost is based on the estimated time to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.6, preliminary environmental review. The estimate assumes one week at 40 hours per week including revisions in response to any EPA comments. Assessment and verification procedures are not required at the PERM level of activity and documentation. Although one respondent per year is estimated for purposes of the cost calculations in Exhibit 1A, EPA anticipates that the actual number of nongovernmental expeditions with activities that

will likely proceed with less than minor or transitory impacts may well be reduced to less than one respondent per year. In fact, during the four austral summer seasons the Interim Final Rule has been in effect, there have not been any PERMs submitted as the final documentation for an expedition.

4. IEE Model for Respondent Submittals: EPA has developed three models for IEEs that incorporate the estimated time to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.7, initial environmental evaluation. The model also considers the experience with IEE documents received during the four austral summer seasons the Interim Final Rule has been in effect and IAATO's comments on the process used and burden estimates in the Supporting Statement for the ICR for the Interim Final Rule. The assumptions for EPA's IEE model include the following:

- Figure 2 lists the potential respondents and the number of IEEs likely to be submitted.
- The maximum length for an IEE is about 200 pages including supplemental information.¹⁹
- IEEs consist of "core" information with supplemental expedition-specific or other project-specific information (e.g., dates, landing sites, number of tours, etc.) attached or referenced.
- For initial preparation of the "core" IEE, the estimate assumes four weeks, on average, at 40 hours/week, or about 160 hours, including revisions in response to EPA comments. This estimate assumes a full time effort during the four weeks, and that information will be incorporated by reference when appropriate.
- The estimate assumes five hours for an operator to prepare and/or compile supplemental information.²⁰
- If appropriate, EPA anticipates operators will submit the "core" IEE in subsequent years with any necessary revisions (discussed below). An estimated one week at 40 hours/week is estimated to prepare this "revised" IEE for submittal in subsequent years. The estimate of 5 hours for preparation and/or compilation of supplemental information remains the same.
- If appropriate, EPA anticipates operators will submit "multi-year" IEE documentation. In the

¹⁹For the four IEEs submitted in 1997-1998, the approximate number of pages, including the "core" document plus supplemental documentation, was: 215 (5-operator Peninsular Area), 208 (2-operator non-PA), 43 (non-IAATO member operator), and 20 (privately-funded researcher). The supplemental information submitted by the 5 operators for the Peninsular Area IEE, which included tour brochures, averaged about 23 pages per operator. The privately-funded researcher incorporated by reference selected information from three previously published reports. During the subsequent three years the Interim Final Rule was in effect, the annual submissions averaged closer to 50 pages due, in large part, to the use of the paperwork reduction provisions of the Interim Final Rule. This "preparation" burden is actually less when the fact that tour brochures for the current season prepared for commercial purposes and a copy of the advance notice submitted to the Department of State were submitted by the tour operators as part of the IEE documentation. However, for purposes of maximum cost burden, the 1997-1998 figures are used in the burden calculations.

²⁰The estimate for preparation of supplemental information excludes any time associated with preparing travel brochures and/or major reports referenced in, and submitted along with, an IEE (e.g., researcher reports such as those prepared by Oceanites, Inc., and submitted as referenced attachments with the IEE).

initial year, this is anticipated to consist of a “revised” IEE with an estimated 40 hours associated preparation time and 5 hours for preparation and/or compilation of supplemental information. For the subsequent four consecutive years the “multi-year” IEE could be submitted by an operator, 5 hours are estimated for preparation and/or compilation of the supplemental information including the advance notice and other information needed to confirm the information provided in the “multi-year” IEE is unchanged.

- The IEE level of documentation requires assessment and verification (A/V) procedures; 20 hours are estimated for preparation and/or compilation of this information.²¹

IEE Model 1 - “Core” IEE: The following estimate is based on EPA’s experience for the 1997-1998 austral summer season, the initial year the Interim Final Rule was in effect, and is pertinent because it considers the paperwork reduction options employed by the operators. The operator hourly burden for preparation of a “Core” IEE is estimated as follows:

Prepare "core" IEE:	160 hrs/IEE x 4 IEEs	= 640 hours
Prepare supplemental information:	5 hrs/operator x 9 operators	= 45 hours
A/V procedures:	20 hrs/operator x 9 operators	= 180 hours
TOTAL HOURS		= 865 hours
TOTAL HOURS PER IEE (4 IEEs)		= 216 hours
TOTAL HOURS PER OPERATOR (9 operators)		= 96 hours

IEE Model 2 - “Revised” IEE: For subsequent years, EPA assumes that the present operators (ship-based tour operators and privately-funded researcher) will remain the same, and that these operators will revise their initial IEEs for subsequent seasons with any necessary updates and revisions. Updates are likely to include such items as: dates of expeditions and changes in landing locations. Revisions could address items such as: the potential impacts, including cumulative impacts, of modifications to the planned activities and any associated mitigation measures, or a reassessment of overall impacts for the expedition. Thus, for subsequent seasons, EPA assumes a reduced number of hours would be required for revision of the "core" IEE, and the hours for preparation of supplemental information will remain the same.²² The model for estimating respondent hourly burden for a “Revised” IEE is based on EPA’s experience under the Interim Final Rule for the three years subsequent to the initial year which is pertinent because this considers the paperwork reduction options employed by the operators. The operator hourly burden for preparation of a “Revised” IEE is estimated as follows:

Prepare "Revised" IEE:	40 hrs/IEE x 5 IEEs	= 200 hours
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²¹For activities requiring an IEE, an operator should be able to use procedures currently being voluntarily utilized by operators to provide the required information.

²²If a new IEE is submitted by another U.S.-based operator, the hourly burden estimate for this IEE is the same as for an initially prepared "core" IEE.

Prepare supplemental information:	5 hrs/operator x 14 operators	= 70 hours
A/V procedures:	20 hrs/operator x 14 operators	= 280 hours
TOTAL HOURS		= 550 hours
TOTAL HOURS PER IEE (5 IEEs)		= 110 hours
TOTAL HOURS PER OPERATOR (14 operators)		= 39 hours

Model 3 - “Multi-Year” IEE: Under the Proposed Rule, operators may choose to submit multi-year IEE documentation. Under this model, EPA assumes the operators, as applicable, will submit a “Revised” IEE in the initial year and in subsequent years, an annual submission of the advance notice and confirmation that the information provided in the multi-year EIA documentation is unchanged. Based on experience under the Interim Final Rule, EPA assumes that 13 of the 14 estimated operators would likely submit four of the five anticipated IEEs and would employ this provision in the Proposed Rule. EPA estimates 40 hours for a “Revised” IEE and 5 hours for the annual submission in subsequent years (e.g., same as supplemental information). The operator hourly burden for preparation of a “Multi-Year” IEE is estimated as follows:

Initial Year:

Prepare “Revised” IEE:	40 hrs/IEE x 4 IEEs	= 160 hours
Prepare supplemental information:	5 hrs/operator x 13 ops x 1 year	= 65 hours
A/V procedures:	20 hrs/operator x 13 ops x 1 year	= 260 hours

Four Subsequent Years for a Total of Five Consecutive Years:

Prepare supplemental information:	5 hrs/operator x 13 ops x 4 years	= 260 hours
A/V procedures:	20 hrs/operator x 13 ops x 4 years	= 1040 hours
TOTAL HOURS for 5-Year Period of “Multi-Year” IEE		= 1785 hours
TOTAL HOURS PER YEAR (5 Years) PER IEE (4 IEEs)		= 89 hours
TOTAL HOURS PER YEAR (5 Years) PER OPERATOR (13 operators)		= 27 hours

5. CEE Model for Respondent Submittals: For CEEs, the estimated burden and cost is based on the estimated time to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.8, comprehensive environmental evaluation, and assumes an increased effort from that required for an IEE. The estimate assumes six (6) weeks at 40 hours per week, or 240 hours, including time for revisions in response to EPA's comments. The estimate assumes 60 hours to prepare assessment and verification information associated with the CEE level of activity and documentation. Further, although one respondent per year is estimated for purposes of the cost calculations in Exhibit 1C, EPA anticipates that the actual number of nongovernmental expeditions with activities that will likely proceed with more than minor or transitory impacts may well be reduced to less than one respondent per year. In fact, there were no CEEs submitted during the four austral summer seasons the Interim Final Rule has been in effect.

6. Emergency Reporting Model: Reporting for Cases of Emergency is based on the Proposed Rule at Section 8.10, Cases of emergency, which would require notice and reporting for

activities taken in cases of emergency which would have otherwise required the preparation of a CEE. The estimate is based on reporting requirements only, not the actual cost of the emergency response action. The burden and cost estimate assumes one such emergency per 10 years. In fact, there were no such incidents during the four austral summer seasons the Interim Final Rule has been in effect.

7. Capital/Start Up Costs: The EPA does not anticipate any capital or start up costs on the part of respondents to comply with the provisions of the Proposed Rule.²³

8. O&M Costs: The EPA estimates the following operating and maintenance (O&M) costs associated with the paperwork requirements for respondents to comply with the provisions of the Proposed Rule.²⁴ Assumptions and calculations used in EPA's O&M estimate for the three levels of environmental documentation are as follows:

PERMs. The assumptions used for the O&M estimates include:

- PERMs are estimated to average 25 pages including any supplemental information.
- One PERM submitted per year by one operator. In fact, during the four austral summer seasons the Interim Final Rule has been in effect, there have not been any PERMs submitted as the final documentation for an expedition.
- Five copies of each PERM should be submitted.
- Although not required, the model assumes operators will use express mail to submit PERM packages (e.g., original PERM and 5 copies).
- PERMs do not require assessment/verification procedures.
- The Proposed Rule does not require file storage or audits.
- Copying and mailing charges have been increased to reflect inflation.

The estimated O&M costs for a PERM are calculated as follows:²⁵

²³One-time capital/start-up costs usually include any produced physical good needed to provide the necessary information. Start-up capital must be purchased for the specific purpose of satisfying EPA's reporting or recordkeeping requirements. Capital goods include computers, machinery, or equipment. Start-up capital costs are usually incurred at the beginning of an information collection period and are usually incurred only once. (From: "ICR Handbook, EPA's Guide to Writing Information Collection Requests Under the Paperwork Reduction Act of 1995, U.S. Environmental Protection Agency, Office of Policy, Planning, and Evaluation, Regulatory Information Division, revised 12/96.)

²⁴O&M costs are the recurring dollar amount of cost associated with O&M or purchasing services. For example, when respondents are required to submit reports or information, O&M costs may include costs for file storage, photocopying, and postage.

²⁵For Exhibits 1 and 2, costs are rounded down to the nearest dollar for \$0.01 to \$0.49, and rounded up to the nearest dollar for \$0.50 to \$0.99.

(1) Copying:	25 pages/PERM x 5 copies x \$0.10/page	= \$12.50
(2) Mailing:	1 PERM package x \$25/package	= 25.00

Exhibit 1A incorporates double these estimated O&M costs in the estimated respondent burden and costs for PERMs for a three year period²⁶ based on the assumption, for purposes of maximum cost calculation, the initial submittal will be revised and resubmitted.

IEEs. The assumptions used for the O&M estimates include:

- Figure 2 lists the potential respondents and the number of IEEs likely to be submitted.
- The maximum length for an IEE is 200 pages including supplemental information. (See above: “IEE Model for Respondent Submittals”)
- Five copies of each IEE, including supplementary information, should be submitted.
- Although not required, the model assumes operators will use express mail to submit IEE packages (e.g., original IEE and 5 copies).
- Assessment/verification (A/V) information is estimated as 25 pages per operator.
- Five copies of each A/V information package may be submitted.
- Although not required, the model assumes operators will use express mail to submit A/V information packages (e.g., original and 5 copies).
- The Proposed Rule does not require file storage or audits.
- Copying and mailing charges have been increased to reflect inflation.

The estimated O&M costs for the three IEE models are calculated as follows:

“Core” IEE:

(1) Copying:	200 pages/Core IEE x 5 copies/IEE x \$0.10/page	= \$100.00
	10 pages/Supplemental Info. x 5 copies x \$0.10/page	= 5.00
	25 pages/ A/V information x 5 copies x \$0.10/page	= 12.50
(2) Mailing:	1 “Core” IEE package x \$25/package	= 25.00
	1 Supplemental Information package x \$10/package	= 10.00
	1 A/V information package x \$15/package	= 15.00

“Revised” IEE:

(1) Copying:	200 pages/Revised IEE x 5 copies/IEE x \$0.10/page	= 100.00
	10 pages/Supplemental Info. x 5 copies x \$0.10/page	= 5.00
	25 pages/ A/V information x 5 copies x \$0.10/page	= 12.50
(2) Mailing:	1 “Revised” IEE package x \$25/package	= 25.00
	1 Supplemental Information package x \$10/package	= 10.00

²⁶Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

$$1 \text{ A/V information package} \times \$15/\text{package} = 15.00$$

“Multi-Year” IEE:

(1) Copying: 200 pages/Revised IEE x 5 copies/IEE x \$0.10/page = 100.00
 10 pages/Supplemental Info. x 5 copies x \$0.10/page = 5.00
 25 pages/ A/V information x 5 copies x \$0.10/page = 12.50

(2) Mailing: 1 Revised IEE package x \$25/package = 25.00
 1 Supplemental Information package x \$10/package = 10.00
 1 A/V information package x \$15/package = 15.00

Exhibit 1B, including Table 1B, incorporates these estimated O&M costs in the estimated respondent burden and costs for IEEs a three year period based on an average of the estimated costs over the total three-year period as summarized in Table 3.²⁷ The O&M costs are doubled for the core and revised IEE submittals based on the assumption, for purposes of maximum cost calculation, the initial submittal will be revised and resubmitted.

Table 3. Summary of the 3-Year Average O&M Costs for a PERM, the Three IEE Models, and a CEE				
PERM	“Core” IEE	“Revised” IEE	“Multi-Year” IEE	CEE
Copying: \$ 25	Copying: \$218	Copying: \$218	Copying: \$ 30	Copying: \$300
Mailing: \$ 50	Mailing: \$ 75	Mailing \$ 75	Mailing: \$ 26	Mailing: \$ 75
TOTAL \$ 75	TOTAL \$293	TOTAL \$293	TOTAL \$ 56	TOTAL \$400

NOTE: The O&M costs for the “Multi-Year” IEE are averaged over a 3-year period for 13 operators with a revised IEE in the initial year and supplemental information in the subsequent two years; A/V information included for 13 operators for three years.

CEEs. The assumptions used for the O&M estimates include:

- CEEs are estimated to average 300 pages including any supplemental information.
- One CEE submitted per year by one operator. In fact, there were no CEEs submitted during the four austral summer seasons the Interim Final Rule has been in effect.
- Five copies of each CEE should be submitted.
- Although not required, the model assumes operators will use express mail to submit CEE packages (e.g., original CEE and 5 copies).
- Assessment/verification (A/V) information is estimated as 50 pages per operator.

²⁷Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

- Five copies of each A/V information package should be submitted.
- Although not required, the model assumes operators will use express mail to submit A/V information packages (e.g., original and 5 copies).
- The Proposed Rule does not require file storage or audits.
- Copying and mailing charges have been increased to reflect inflation.

The estimated O&M costs for a CEE are calculated as follows:

(1) Copying:	300 pages/CEE x 5 copies x \$0.10/page	= \$150.00
	50 pages/ A/V information x 5 copies x \$0.10/page	= 25.00
(2) Mailing:	1 CEE package x \$30/package	= 30.00
	1 A/V information package x \$15/package	= 15.00

Exhibit 1C incorporates these estimated O&M costs in the estimated respondent burden and costs for CEEs for a three year period.²⁸ The O&M costs are doubled for the CEE submittal based on the assumption, for purposes of maximum cost calculation, the initial submittal will be revised and resubmitted.

Reporting for Cases of Emergency. The assumptions used for the O&M estimate include:

- Emergency Reports are estimated to average 300 pages including supplemental information.
- The model assumes assessment and verification procedures will be undertaken with 50 pages submitted.
- Five copies of the assessment and verification information should be submitted.
- Although not required, the model assumes operators will use express mail to submit Emergency Reports and assessment and verification information.
- The O&M costs are first calculated to indicate the annual cost assuming one such emergency per 10 years. (See: Item 6, above, Emergency Reporting Model)
- The Proposed Rule does not require file storage or audits.
- Copying and mailing charges have been increased to reflect inflation.

(1) Copying:			
	Emergency Report	300 pages/report x 5 copies x \$0.10/page	= \$150.00
	A/V Information	50 pages/package x 5 copies x \$0.10/page	= 25.00
(2) Mailing:			
	Emergency Report	1 Emergency Report x \$30/report	= 30.00
	A/V Information	1 A/V package x \$15/package	= 15.00

²⁸Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

O&M for Emergency Reporting in one year = 220.00
Averaged annual Emergency Reporting assuming one emergency per 10 years = 22.00

Exhibit 1D incorporates these estimated O&M costs in the estimated Emergency Response respondent burden and costs for years one through three.²⁹

6(b) ESTIMATED ANNUAL FEDERAL GOVERNMENT BURDEN AND COST

Exhibits 2A, 2B (including Table 2), and 2C present the estimated Federal government burden and cost for processing and reviewing the three possible levels of environmental documentation (e.g., PERM, IEE, CEE) and associated post-expedition assessment and verification information. Exhibit 2D presents the estimated Federal government burden and cost for activities associated with reporting for cases of emergency, and Exhibit 2E presents the estimated Federal government burden and cost for coordinating the review of information received from other Parties.³⁰ The Proposed Rule does not involve or otherwise impact governmental jurisdictions including state, local or tribal governments.

Federal government burden tables were prepared for each type of environmental documentation since the effort should increase as an increasing level of environmental documentation is required; e.g., from PERM to IEE to CEE. As with the respondents, the model used for the Federal government estimates is a nongovernmental, U.S.-based ship-based tour operator, and the estimated burden and cost for the Federal government is based on the assumption that most environmental documentation submitted by operators will be IEEs.

The following assumptions were factored into the hourly burden and cost estimates for the Federal government:

1. Number of Respondents: The Federal government estimates are consistent with the respondent (i.e., operators) estimates with regard to the number of respondents and the projected numbers of environmental documents that may be submitted. (See: Section 6(a).)

2. Basis for Personnel Cost Estimates: The cost estimates are based on consideration of a "model" government employee for activities associated with the Proposed Rule. Two Federal employee "models" were developed: (1) "Federal Model 1" is used for costing activities more technical in nature, and (2) "Federal Model 2" is used for costing activities that are more

²⁹Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

³⁰There is no respondent burden or cost associated with Section 8.12.

administrative.³¹

"Federal Model 1" - Technical Activities: The skill mix used for technical activities includes Managers, Technical Staff (such as scientists, environmental protection specialists, and other such technical classifications), Attorneys, and Clerical Support. Relative hours are listed in whole hour increments. The development of the cost per hour for "Federal Model 1" is as follows:³²

FIGURE 3. Federal Model 1				
Job Classification	Estimate of Relative Hours	Estimated time Per Hour	Pay Rate (Based on GS-Level)	Cost/Hour
Manager	2	0.16	\$75.99 for GS 15	\$12.16
Technical	8	0.68	64.60 for GS 14	43.93
Attorney	1	0.08	64.60 for GS-14	5.17
Clerical	1	0.08	26.84 for GS-07	2.15
	12 hours	1.00 hour		\$63.41/hour

"Federal Model 2" - Administrative Activities: The skill mix used for administrative activities includes Managers, Technical Staff (such as scientists, environmental protection specialists, and other such technical classifications), Attorneys, and Clerical Support. Relative hours are listed in whole hour increments. The development of the cost per hour for "Federal Model 2" is as follows:

FIGURE 4. Federal Model 2

³¹See: Exhibits 2A through E, the Federal government estimates for burden and cost. For example, technical activities associated with Environmental Documentation include: review of environmental documents, including any public comments, and providing comments to the operator; consultation with operators; and review of the revised/final document submittals and notification of the operator, if necessary. Other activities listed under Environmental Documentation, such as posting document receipt on the WWW, are administrative.

³²For the "Technical staff," the model uses the GS-14 level rates, and assumes that the technical staff may actually be composed of GS-13 through GS-15 level staff. For the "Attorney," the model uses the GS-14 level rates, and assumes that the attorneys may actually be composed of GS-14 and GS-15 level staff. The model uses rates that are fully loaded, that is, they incorporate overhead and fringe benefits.

Job Classification	Estimate of Relative Hours	Estimated time Per Hour	Pay Rate (Based on GS-Level)	Cost/Hour
Manager	1	0.20	\$75.99 for GS 15	\$15.20
Technical	1	0.20	64.60 for GS 14	12.92
Attorney	0	0.00	64.60 for GS-14	0.00
Clerical	3	0.60	26.84 for GS-07	16.10
	5 hours	1.00 hour		\$44.22/hour

3. PERM Model for Review of Submittals: For PERMs, the respondent would need to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.6, preliminary environmental review. The hourly burden for Federal government review of a PERM is estimated to be 25% of the respondent's time to prepare a PERM, or 10 hours, plus an additional 2 hours for administrative activities. Assessment and verification procedures are not required at the PERM level of activity and documentation. Although one respondent per year is estimated for purposes of the cost calculations in Exhibit 2A, EPA anticipates that the actual number of nongovernmental expeditions with activities that will likely proceed with less than minor or transitory impacts may well be reduced to less than one respondent per year. In fact, there were no PERMs submitted during the four austral summer seasons the Interim Final Rule has been in effect.

4. IEE Model for Review of Submittals: For IEEs, the respondent would need to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.7, initial environmental evaluation. Based on experience under the Interim Final Rule over the past four austral summer seasons (see Figure 1), EPA assumes operators would submit IEEs. Under the Proposed Rule, operators could choose to submit a "Core" or a "Revised" or a "Multi-Year" IEE as discussed for the respondents in Section 6(a). Based on experience under the Interim Final Rule, EPA assumes that 13 of the 14 estimated operators would likely submit four of the five anticipated IEEs and would employ the multi-year provision in the Proposed Rule. Under the "Multi-Year" IEE model, EPA assumes the operators, as applicable, would submit a "Revised" IEE in the initial year and for the subsequent four years, an annual submission of the advance notice and confirmation that the information provided in the multi-year EIA documentation is unchanged. EPA has developed a model for Federal government review of the three models for IEEs. A detailed discussion of the "Model for Federal Government Review of IEEs" is presented Section 6(c), below.

5. CEE Model for Review of Submittals: For CEEs, the respondent would need to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.8, comprehensive environmental evaluation. The hourly burden for Federal government review of a CEE is estimated to be 50% of the respondent's time to prepare a CEE, or 120 hours, plus an additional 15 hours for administrative activities. The hourly burden for review of assessment and

verification information is estimated to be 50% of the respondent's time to prepare the assessment and verification information, or 30 hours. Although one respondent per year is estimated for purposes of the cost calculations in Exhibit 2C, EPA anticipates that the actual number of nongovernmental expeditions with activities that will likely proceed with more than minor or transitory impacts may well be reduced to less than one respondent per year. In fact, there were no CEEs submitted during the four austral summer seasons the Interim Final Rule has been in effect.

6. Reviewing Emergency Reports: Reporting for Cases of Emergency is based on the Proposed Rule at Section 8.10, Cases of Emergency, which would require operator notice and reporting for activities taken in cases of emergency which would have otherwise required the preparation of a CEE. The estimated hourly burden for Federal government review of an Emergency Report is estimated to be 50% of the respondent's time to prepare a CEE,³³ or 120 hours, and 50% of the respondent's time to prepare the assessment and verification information for an emergency, or 30 hours, for review of this information. An additional 15 hours are assumed for notifying the Parties and for administrative activities. As with the respondents, the Federal government burden and cost estimate assumes one such emergency per 10 years.

7. Capital/Start Up Costs: The EPA does not anticipate any capital or start up costs on the part of the Federal government to comply with the provisions of the Proposed Rule.

8. O&M Costs: The EPA estimates the following operating and maintenance (O&M) costs associated with the paperwork requirements for the Federal government to comply with the provisions of the Proposed Rule. Assumptions and calculations used in EPA's O&M estimate for the three levels of environmental documentation are as follows:

PERMs. The assumptions used for the O&M estimates include:

- PERMs are estimated to average 25 pages including any supplemental information.
- One PERM submitted per year by one operator. In fact, during the four austral summer seasons the Interim Final Rule has been in effect, no PERMs were submitted as the final environmental documentation.
- Six copies of each PERM are needed for Federal government reviewers.
- PERMs do not require assessment/verification procedures.
- File storage and maintenance is estimated at \$10 per PERM.
- Copying and file storage and maintenance charges have been increased to reflect inflation.

³³See Proposed Rule at Section 8.10. Emergency reporting would be required for emergency activities which would have otherwise required the preparation of a CEE. The estimate is based on reporting requirements only, not the actual cost of the emergency response action. The burden and cost estimate assumes one such emergency per 10 years. (See: Respondent Assumption 6.)

The estimated O&M costs for a PERM are calculated as follows:

(1) Copying:	25 pages/PERM x 6 copies x \$0.10/page	= \$15.00
(2) File Storage:	1 PERM package x \$10/package	= 10.00

Exhibit 2A incorporates these estimated O&M costs in the estimated Federal government burden and costs for PERMs for a three year period.³⁴ The O&M cost for copying is doubled based on the assumption, for purposes of maximum cost calculation, that the initial submittal will be revised and resubmitted for Federal government review.

IEEs. The assumptions used for the O&M estimates include:

- Figure 2 lists the potential respondents and the number of IEEs likely to be submitted.
- The maximum length for an IEE is 200 pages including supplemental information. (See: Section 6(a)).
- Six copies of each IEE are needed for Federal government reviewers.
- Assessment/verification (A/V) information packages, are estimated as 25 pages per operator.
- Six copies of each A/V information package is needed for Federal government reviewers.
- File storage and maintenance is estimated at \$10 including storage for an IEE package and the associated A/V information.
- Copying and file storage and maintenance charges have been increased to reflect inflation.

The estimated O&M cost for the three IEE models are calculated as follows:

“Core” IEE:

(1) Copying:	200 pages/Core IEE x 6 copies/IEE x \$0.10/page	= \$120.00
	10 pages Supplemental Info. x 6 copies x \$0.10/page =	6.00
	25 pages/ A/V information x 6 copies x \$0.10/page =	15.00
(2) File Storage:	1 IEE package x \$10/package	= 10.00

“Revised” IEE:

(1) Copying:	200 pages/Revised IEE x 6 copies/IEE x \$0.10/page =	\$120.00
	10 pages Supplemental Info. x 6 copies x \$0.10/page =	6.00
	25 pages/ A/V information x 6 copies x \$0.10/page =	15.00
(2) File Storage:	1 IEE package x \$10/package	= 10.00

“Multi-Year” IEE:

(1) Copying:	200 pages/Revised IEE x 6 copies/IEE x \$0.10/page =	\$120.00
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³⁴Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

10 pages Supplemental Info. x 6 copies x \$0.10/page = 6.00
 25 pages/ A/V information x 6 copies x \$0.10/page = 15.00

(2) File Storage: 1 IEE package x \$10/package = 10.00

Exhibit 2B, including Table 2B, incorporates these estimated O&M costs in the estimated Federal government burden and costs for IEEs for a three year period based on an average of the estimated costs over the total three-year period as summarized in Table 4.³⁵ The O&M costs for copying the core and revised IEE submittals are doubled based on the assumption, for purposes of maximum cost calculation, the initial submittal will be revised and resubmitted for Federal government review.

Table 4. Summary of the 3-Year Average O&M Costs for a PERM, the Three IEE Models, and a CEE				
PERM	“Core” IEE	“Revised” IEE	“Multi-Year” IEE	CEE
Copying: \$ 30 File Storage: \$ 10 TOTAL \$ 40	Copying: \$261 File Storage: \$ 10 TOTAL \$271	Copying: \$261 File Storage : \$ 10 TOTAL \$271	Copying: \$ 28 File Storage: \$ 4 TOTAL \$ 32	Copying: \$390 File Storage: \$ 10 FedReg: \$290 TOTAL \$690

NOTES: (1) The O&M costs for the “Multi-Year” IEE are averaged over a 3-year period for 13 operators with a revised IEE in the initial year and supplemental information in the subsequent two years; A/V information included for 13 operators for three years. (2) The O&M for copying does not include the estimated \$1,800 needed to provide draft and final copies of a CEE to the Parties and the Committee.

CEEs. The assumptions used for the O&M estimates include:

- A *Federal Register* Notice of Availability must be published for receipt of each draft and final CEE; publication costs are estimated at \$145 per column and two columns are assumed to be needed.
- CEEs are estimated to average 300 pages including any supplemental information.
- One CEE submitted per year by one operator. In fact, during the four austral summer seasons the Interim Final Rule has been in effect, no CEEs were submitted.
- Six copies of each CEE are needed for Federal government reviewers.
- Thirty copies of each CEE are needed for distribution to Parties and the Committee for Environmental Protection.
- Assessment/verification (A/V) information is estimated as 50 pages per operator.

³⁵Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

- Six copies of each A/V information package is needed for Federal government reviewers.
- File storage and maintenance is estimated at \$10 including storage for a CEE package and associated A/V information.
- Copying, *Federal Register* publication, and file storage and maintenance charges have been increased to reflect inflation.

The estimated O&M costs for a CEE are calculated as follows:

(1) Copying:	300 pages/CEE x 6 copies x \$0.10/page	= \$180.00
	300 pages/CEE x 30 copies x \$0.10/page	= 900.00
	50 pages/ A/V information x 6 copies x \$0.10/page	= 30.00
(2) FR Publication:	1 CEE x \$145/column x 2 columns	= 290.00
(3) File Storage:	1 CEE package x \$10/package	= 10.00

Exhibit 2C incorporates these estimated O&M costs in the estimated Federal government burden and costs for CEEs for a three year period.³⁶ The O&M cost for copying is doubled based on the assumption, for purposes of maximum cost calculation, that the initial submittal will be revised and resubmitted for Federal government review and that both the draft and final CEEs will also be provided to the Parties.

Reporting for Cases of Emergency. The assumptions used for the O&M estimates include:

- Emergency Reports are estimated to average 300 pages including supplemental information.
- Six copies of each report are needed for Federal government reviewers.
- Thirty copies of each report are needed for distribution to Parties and the Committee for Environmental Protection.
- Assessment/verification (A/V) information is estimated as 50 pages per incident.
- Six copies of each A/V information package needed for Federal government reviewers.
- The O&M costs are first calculated to indicate the annual cost assuming one such emergency per 10 years.
- File storage and maintenance is estimated at \$10 including storage for the emergency report package and associated A/V information.
- Copying and file storage and maintenance charges have been increased to reflect inflation.

(1) Copying:	300 pages/report x 6 copies x \$0.10/page	= \$180.00
	300 pages/report x 30 copies x \$0.10/page	= 900.00
	50 pages/ A/V information x 6 copies x \$0.10/page	= 30.00
(2) Store File:	1 report package x \$10/package	= 10.00

³⁶Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

Exhibit 2D incorporates these estimated O&M costs in the estimated Federal government burden and costs for emergency reports for a three year period.³⁷

9. Coordinating Review of Other Parties' Documents: In accordance with the Proposed Rule at Section 8.12, the Department of State would be responsible for the coordination of the review of documents received from other Parties. There is no respondent burden or cost associated with Section 8.12. Exhibit 2E provides the hourly burden and cost estimate based on Employee Model 1 and the O&M assumptions and estimates below. It is not possible to predict what may be received from another Party in any given year, and since there is no respondent burden associated with Section 8.12, burden and costs for a three year period are not provided beyond those estimates listed in Exhibit 2E.³⁸

The assumptions used for the O&M estimates include:

- A *Federal Register* Notice of Availability must be published for receipt of each draft CEE; publication costs are estimated at \$145 per column and two columns are assumed to be needed.
- Draft and Final CEEs received from other Parties are estimated to average 300 pages including supplemental information.
- Other documents (e.g., description of national procedures, significant monitoring information) received from other Parties are estimated to average 50 pages.
- Annual lists of IEEs are estimated to average 10 pages.
- Six copies of each document are needed for Federal government reviewers and four copies for the public.
- File storage and maintenance is estimated at \$10 including storage for the sum total of any such documents received.
- Copying and file storage and maintenance charges have been increased to reflect inflation.

(1) Copying:	300 pages/draft CEE x 10 copies x \$0.10/page	= \$300.00
	300 pages/final CEE x 10 copies x \$0.10/page	= 300.00
	50 pages/other x 10 copies x \$0.10/page	= 50.00
	10 pages/IEE list x 10 copies x \$0.10/page	= 10.00
(2) FR Pub:	1 CEE x \$145/column x 2 columns	= 290.00
(3) Store File:	1 set of reports from Parties x \$10/set	= 10.00

³⁷Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

³⁸Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

6(c) MODEL FOR FEDERAL GOVERNMENT REVIEW OF IEEs

As noted in the assumptions above for both the respondents and the Federal government, EPA assumes that most environmental documentation that will be submitted under the Proposed Rule would be IEEs. Based on experience during the four austral summer seasons the Interim Final Rule has been in effect, and the assumption that operators would continue to employ the paperwork reduction provisions in the Proposed Rule, including the provision for multi-year documentation, EPA has developed a model for Federal government review of IEEs based on three types of IEE documentation: (1) "Core" IEE, (2) "Revised" IEE, and (3) multi-year IEE.

The hourly estimates for activities associated with Environmental Documentation in Exhibit 2B are based on experience during the four austral summer seasons the Interim Final Rule has been in effect and the anticipated degree of consultation with other interested Federal agencies. The calculations include the estimated technical review time for the three IEE models, the estimated technical hours per Federal review, and the Federal agencies participating in the review process and their relative level of participation.

1. Estimated Hours for Technical Review of an IEE: This estimate includes the following assumptions consistent with those in the respondents' estimated burden (Section 6(a), above) and consideration of the experience under the four austral summer seasons the Interim Final Rule has been in effect:

- Section 6(a), including Figure 2, lists the potential respondents and the documentation likely to be submitted.
- The maximum length for an IEE is about 200 pages including supplemental information.
- An IEE consists of "core" information with supplemental expedition-specific (e.g., dates, landing sites, number of tours, etc.) or other project-specific information attached or referenced.
- The core information requires a "Core IEE" review, and certain of the supplemental information not considered to be part of the "core" document (e.g., supplemental expedition-specific information for individual tour operators), requires a "Supplemental Information" review. A "Core IEE" review is estimated to be 50% of the respondent's time to prepare a "core" IEE, or 80 hours, and a "Supplemental Information" review is estimated to be 25% of the respondent's time to prepare the information, or about 1 hour per supplemental package of information not considered to be part of the "core" document. Review time for supplemental information considered to be part of the "Core IEE" and included by reference is included in the review time for the "Core IEE."
- The time to review a "Revised IEE" is estimated to be 25% of the respondent's time to prepare a "core" IEE, or 40 hours, and a "Supplemental Information" review to take 1 hour per supplemental package of information not considered to be part of the "revised" document.
- Operators may employ the multi-year provision whereby multi-year IEE documentation will

be submitted initially with a subsequent annual advance notice and confirmation that the information provided in the multi-year document is unchanged. Review of the initial multi-year document is assumed to be the same as review of a “Revised IEE,” e.g., 40 hours for the “Revised IEE” and 1 hour per supplemental package of information. For the subsequent four years, the annual advance notice and confirmation that the conditions of the multi-year document are unchanged is estimated to take 10 hours per IEE.

IEE Model 1 - “Core” IEE: The following estimate is based on EPA’s experience for the 1997-1998 austral summer season, the initial year the Interim Final Rule was in effect, and is pertinent because it considers the paperwork reduction options employed by the operators. The operator hourly burden for preparation of a “Core” IEE is estimated as follows:

<u>IEEs Submitted in 1997-1998</u>	<u>Core IEE Review</u>	<u>Sup. Info. Review</u>
Peninsular Area (PA) for 5 IAATO tour operators	1	5
Non-PA for 2 IAATO tour operators	1	2
Non-IAATO member tour operator	1	1
Privately funded researcher	1	1
TOTAL	4	9

4 Core IEE Reviews	x 80 hrs/review	= 320 hours
9 Supplemental Information Reviews	x 1 hr/review	= 9 hours
TOTAL HOURS		329 hours
TOTAL HOURS PER IEE (4 IEEs)		= 82 hours
TOTAL HOURS PER OPERATOR (9 OPERATORS)		= 36 hours

IEE Model 2 - “Revised” IEE: For subsequent years, EPA assumes that the present operators (ship-based tour operators and privately-funded researcher) will remain the same, and that these operators will revise their initial IEEs for subsequent seasons with any necessary updates and revisions. Updates are likely to include such items as: dates of expeditions, changes in landing locations, and other modifications to the expedition's activities that could have environmental consequences. Revisions could address items such as: the potential impacts, including cumulative impacts, of modifications to the planned activities and any associated mitigation measures, or a reassessment of overall impacts for the expedition. Thus, for subsequent seasons, EPA estimates the government review time to be 25% of the respondent's time to prepare a "core" IEE, or 40 hours, and the hours for review of supplemental information will remain the same.³⁹ The model for estimating respondent hourly burden for a “Revised” IEE is based on EPA’s experience under the Interim Final Rule for the three years subsequent to the initial year which is pertinent because this considers the paperwork reduction options employed by the operators. The operator hourly burden for preparation of a “Revised” IEE is estimated as follows:

³⁹If a new IEE is submitted by another U.S.-based operator, the hourly burden estimate for this IEE is the same as for an initially prepared "core" IEE.

“Revised” IEE Reviews	4 IEEs x 40 hrs/review	= 160 hours
Supplemental Information Reviews	9 operators x 1 hr/review	= 9 hours
TOTAL HOURS		169 hours
TOTAL HOURS PER IEE (4 IEEs)		= 42 hours
TOTAL HOURS PER OPERATOR (9 OPERATORS)		= 19 hours

Model 3 - “Multi-Year” IEE: Under the Proposed Rule, operators may choose to submit multi-year IEE documentation. Under this model, EPA assumes the operators, as applicable, will submit a “Revised” IEE in the initial year and for the subsequent four years, an annual submission of the advance notice and confirmation that the information provided in the multi-year EIA documentation is unchanged. Based on experience under the Interim Final Rule, EPA assumes that 13 of the 14 estimated operators would likely submit four of the five anticipated IEEs and would employ this provision in the Proposed Rule. Review includes the initial multi-year document and subsequent annual review of the advance notice and confirmation documentation. EPA assumes the operators employing this provision will submit an IEE the initial year that will require review at the “Revised IEE” level of review; e.g., 40 hours, and 1 hour per supplemental package of information. In subsequent years, the annual advance notice and confirmation that the information provided in the multi-year document is unchanged is estimated to take 10 hours per IEE. At the end of this 5-year cycle, the review process would begin again with a “Revised” IEE. The Federal government hourly burden is estimated as follows for review of “Multi-Year” IEEs:

Initial Year Under Multi-Year Documentation Provision:

“Revised” IEE Reviews	4 IEEs x 40 hrs/review	= 160 hours
Supplemental Info Reviews	13 ops x 1 hr/review	= 13 hours
TOTAL HOURS		= 173 hours

Subsequent Years (up to 4 years) Under Multi-Year Documentation Provision:

Annual Advance Notice and Confirmation	4 IEEs x 10 hrs/review x 4 yrs	= 160 hours
Supplemental Info Reviews	13 ops x 1 hr/review	= 13 hours

Total Hours Spread Over the 5-Year Period for Multi-Year Documents:

TOTAL HOURS	= 346 hours
TOTAL HOURS ANNUALLY (5-year period)	= 69 hours
TOTAL HOURS ANNUALLY PER IEE (4 IEEs)	= 17 hours
TOTAL HOURS ANNUALLY PER OPERATOR (13 operators)	= 5 hours

2. Estimated Technical Hours by Federal Agency for Review of an IEE: EPA has used and would continue to use a “Principal Reviewer/Associate Reviewer” process to review environmental documentation submitted by operators. OFA would serve as the Principal Reviewer. Associate Reviewers may include representatives from program offices within EPA and other Federal agencies with an interest in Antarctica. The interested Federal agencies are listed in Section 5(a), above. Based

on experience during the four austral summer seasons the Interim Final Rule has been in effect and the anticipated consultation needs under the Proposed Rule, the following calculations spread the 82 total hours per “Core” IEE review, the 42 total hours per “Revised” IEE review, and the 17 total hours per “Multi-Year” IEE amongst the Federal agencies.

Federal Agency	“Core” IEE				“Revised” IEE				“Multi-Year” IEE		
	Relative Time/Hr	x 82 Hrs	Hrs		Relative Time/Hr	x 42 Hrs	Hrs		Relative Time/Hr	x 17 Hrs	Hrs
EPA	0.45	x 82	37		0.50	x 42	21		0.50	x 17	8
NSF	0.35	x 82	29		0.35	x 42	15		0.40	x 17	7
DOS	0.15	x 82	12		0.15	x 42	6		0.10	x 17	2
Others	0.05	x 82	4		0.00	x 42	0		0.00	x 17	0
Totals	1.00		82		1.00		42		1.00		17

“Others” may include: USCG, NOAA, MMC, DOJ and CEQ

The model further assumes that 2/3 of the time for review of each document applies to the draft IEE, and 1/3 of the time to the final IEE:

	“Core” IEE	“Revised” IEE	“Multi-Year” IEE
Review Hours per Draft	55	28	11
Review Hours per Final	27	14	6
Total Hours	82	42	17

The hours are then spread amongst the Federal agencies as follows:

	“Core” IEE				“Revised” IEE				“Multi-Year” IEE		
		Draft	Final		Draft	Final			Draft	Final	
EPA	.45	25	12		.50	14	7		.50	6	3
NSF	.35	19	10		.35	10	5		.40	4	3
DOS	.15	8	4		.15	4	2		.10	1	0
Others	.05	3	1		.00	0	0		.00	0	0
Totals		55	27			28	14			11	6

The Hours/Agency for technical activities associated with Environmental Documentation are spread across the Federal agencies in Exhibit 2B, Estimated Annual Federal Government Burden and Cost, on an hours/IEE or hours/operator basis, as appropriate, and costs are calculated at the "Federal Model 1" (technical) rate for: review of environmental documents, including any public comments, and providing comments to the operator; consultation with operators; review of the revised/final document submittals and notification of the operator, if necessary; and review of assessment and verification

information. The costs for the administrative activities listed under Environmental Documentation are calculated at the "Federal Model 2" rate.

3. The estimated hourly burden for review of assessment and verification information is estimated to be 75% of the respondent's time to prepare the assessment and verification information, or 15 hours per information package for activities associated with an IEE.

6(d) ESTIMATED ANNUAL AGGREGATE BURDEN AND COST

Exhibit 3 is the aggregate hourly burden and cost for respondents and the Federal government that compiles the subtotals from the respondent (Exhibits 1A, 1B including Table 1, 1C, and 1D) and Federal government (Exhibits 2A, 2B including Table 2, 2C, and 2D) tables for the most likely documentation scenario, submission of multi-year environmental documentation, and represented in Figures 5 and 6, below. In addition, Exhibit 2E summarizes the Federal government burden and cost for coordinating review of information received from other Parties and is not further summarized since it is not possible to predict what may be received from another Party in any given year, and there is no associated respondent burden or costs. Exhibit 3 is annualized over a three year period by assuming a 3.5% escalation rate per year, the assumed Consumer Price Index (CPI) escalation rate.⁴⁰

Based on the reporting by operators for the four austral summer seasons during the time the Interim Final Rule has been in effect under an OMB-approved ICR and EPA's understanding of the types of nongovernmental activities likely to continue to be undertaken by U.S.-based operators in Antarctica, EPA anticipates that the most likely scenario during the three-year period this information collection will be in effect consists of the following:

- During the initial year (e.g., 2001, for the 2001-2002 austral summer season), four "Multi-Year" IEEs will likely be submitted for the initial year of the 5-year term for these documents on behalf of thirteen operators, including the associated assessment and verification procedures. One additional IEE may be submitted for a one-time only expedition.
- For the subsequent two years, the annual advance notice and confirmation reports will be submitted on behalf of thirteen operators for the four "Multi-Year" IEEs, and associated assessment and verification procedures will continue. One additional IEE may be submitted for a one-time only expedition during each of these subsequent years.
- The Consumer Price Index (CPI) is estimated to be 3.5% for the subsequent years and is incorporated into the cost calculations for these years.
- No PERMs or CEEs have been submitted as the final documentation under the Interim Final Rule, and none are anticipated during the effective period for this ICR.
- There were no emergencies requiring emergency reporting during the four austral summer

⁴⁰Three years are used in these calculations because that is the period of time the ICR is in effect before it must be renewed.

seasons the Interim Final Rule has been in effect, and none are expected to occur during the effective period for this ICR.

- Other than receipt of the annual list of IEEs, there is no way to anticipate receipt of environmental documents from the Parties on an annual basis or during the effective period for this ICR. There is no burden or cost to the respondents associated with receipt of documents from the Parties. Therefore, there are no costs associated with coordinating review of information received from other Parties included in the summary of burden and costs.

Based on the above assumptions, the estimated hourly burden and costs for the respondents and the Federal government are summarized in Exhibit 3. In summary, for most operators submitting environmental documentation under the Proposed Rule, the estimated 3-year total and annual average respondent burden is estimated as 1,135 hours, or 29 hours per operator per year; and the 3-year total and annual average respondent cost is estimated as \$82,628 or \$2,119 per operator per year. The 3-year total and annual average Federal government burden is estimated as 792 hours, or 20 hours per operator per year; and the 3-year total and annual average Federal government cost is estimated as \$52,825 or \$1,355 per operator per year.

Exhibit 1A: PERMs - ESTIMATED RESPONDENT BURDEN AND COST

ICR Activity: PERMs	Legal \$230/hr	Manager \$76/hr	Technical \$65/hr	Clerical \$65/hr	Respondent \$27/hr	Labor Hrs/Yr	Capitol/ Cost/Yr	O & M Startup Cost	Cost	No. of	Total Respondents	Hrs/Yr	Total Cost/Yr
<u>Environmental Documentation</u>													
1. Study the regulations	3 \$ 690	3 \$ 228	3 \$ 195	0 \$ 000	9	\$ 1,113	None	Copying \$ 25					
2. Search reference sources for existing information and compile information from company records	1 230	1 76	5 325	0 000	7	631		Mailing 50					
3. Prepare PERM and submit	1 230	1 76	12 780	2 54	16	1,140							
4. Revise PERM in response to EPA's comments and submit	1 230	1 76	5 325	1 27	8	668							
					40	\$ 3,542		\$ 75		1	40	\$ 3,542 75	
												\$ 3,617	
<u>Post-Expedition Assessment & Verification</u>													
1. Prepare A/V information and submit - NOT REQUIRED FOR PERMs	0 \$ 000	0 \$ 000	0 \$ 000	0 \$ 000	0	\$ 000	None	Copying \$ 0					
					0/yr	\$ 000/yr		Mailing 0					
								\$ 0		0	0	\$ 0	
TOTAL											40	\$ 3,617	

YEAR ONE	40	\$ 3,617
YEAR TWO (3.5% estimated CPI escalation rate on \$3617)	40	3,744
YEAR THREE (3.5% estimated CPI escalation rate on \$3744)	40	3,875
TOTAL ESTIMATED POTENTIAL BURDEN and COST:	120	\$11,236
AVERAGE EST. BURDEN and COST PER YEAR PER OPERATOR:	40	\$ 3,745

Assumptions:

- Exhibit 1A represents the estimated burden and cost for PERMs. In fact, no PERMs were submitted during the four austral summer seasons the Interim Final Rule has been in effect. For purposes of estimating the potential maximum burden and cost estimate associated with PERMs over the three-year life of the ICR, the three-year projection assumes submittal of one PERM per year for each of the next three years. Although one respondent per year is estimated for purposes of the cost calculations, EPA anticipates that the actual number of nongovernmental expeditions with activities that will likely proceed with less than minor or transitory impacts may well be reduced to less than one respondent per year.
- Estimates for preparation of a PERM are based on estimated time that would be needed to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.6, preliminary environmental review.
- The cost estimates are based on consideration of assumed comparable estimated costs for EPA personnel, except for the Attorney rate which is an estimate of the commercial

rate. The EPA estimated rates used in the calculations are fully loaded, that is, they incorporate overhead and fringe benefits.

4. Cost and burden associated with preparation of higher level EIA documentation, if necessary, is addressed in Exhibits 1B (IEEs) and 1C (CEEs).

Exhibit 1B: IEEs - ESTIMATED RESPONDENT BURDEN AND COST

ICR Activity: IEEs	Legal \$230/hr	Manager \$76/hr	Technical \$65/hr	Clerical \$27/hr	Respondent Hrs/Yr	Labor Cost/Yr	Capitol/ Startup Cost	O & M Cost	No. of Respondents	Total Hrs/Yr	Total Cost/Yr
<u>Environmental Documentation</u> <u>MODEL 1: "Core" IEE</u>											
1. Study the regulations	3 \$ 690	3 \$ 228	3 \$ 195	0 \$ 000	9	\$ 1,113	None	Copying \$ 218	See:	See:	
2. Search reference sources for existing information and compile information from company records	1 230	2 152	12 780	0 000	15	1,162		Mailing 75	Table 1	Table 1	
								\$ 293			
3. Prepare Core IEE and submit	2 460	3 228	85 5525	5 135	95	6,348					
4. Revise in response to EPA's comments and submit	1 230	2 152	35 2275	3 81	41	2,738					
					160	\$ 11,361					\$ 11,361
											293
											\$ 11,654
<u>Environmental Documentation</u> <u>MODEL 2: "Revised" IEE</u>											
1. Study the regulations	0 \$ 000	0 \$ 000	2 \$ 130	0 \$ 000	2	\$ 130	None	Copying \$ 218	See:	See:	
2. Search reference sources for existing information and compile information from company records	0 000	0 000	5 325	0 000	5	325		Mailing 75	Table 1	Table 1	
								\$ 293			
3. Prepare Revised IEE and submit	1 230	1 76	20 1300	2 5 4	24	1,660					
4. Revise in response to EPA's comments and submit	0 000	.5 38	8 520	.5 14	9	572					
					40	\$ 2,687					\$ 2,687
											293
											\$ 2,980
<u>Supplemental Information</u>											
1. Prepare and submit supplemental information	0 \$ 000	.5 \$ 33	4 \$ 260	.5 \$ 14	5	\$ 312	None	Included in Cases 1 and 2, above	See: Table 1	See: Table 1	\$ 312

<u>Post-Expedition Assessment & Verification</u>											
1. Prepare A/V information and submit	1 \$ 230	2 \$ 152	15 \$ 975	2 \$ 54	20	\$ 1,411	None	Copying \$ 13 Mailing 15	See: Table 1	See: Table 1	\$ 1,411 28
					20	\$ 1,411		\$ 28			\$ 1,439

Assumptions:

1. IEEs would need to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.7, initial environmental evaluation.
2. A "Core" IEE and associated supplemental information comprises the IEE package for the initial preparation of an IEE by an operator.
3. A "Revised" IEE and associated supplemental information comprises the IEE package for a current year's submittal developed through revision of a previous year's submittal.
4. A "Multi-Year" IEE consists of a "Revised" IEE and the associated supplemental information in the initial year and, for each of the subsequent four years, an annual submission of the advance notice and confirmation that the information provided in the Multi-Year IEE is unchanged.
5. Supplemental information for purposes of the costs estimated in Exhibit 1B and Table 1 refers to supplemental information submitted regarding the specifics of the tours/expedition (e.g., dates, number of tours, etc.) rather than supplemental information of a more technical nature that is incorporated into the "Core" or "Revised" IEE by reference.
6. The cost estimates are based on consideration of assumed comparable estimated costs for EPA personnel, except for the Attorney rate which is an estimate of the commercial rate. The EPA estimated rates used in the calculations are fully loaded, that is, they incorporate overhead and fringe benefits.

TABLE 1. IEEs - TOTAL ESTIMATED POTENTIAL BURDEN AND COST FOR THE THREE IEE MODELS, 3.5% ESCALATION RATE

"Core" IEE for One Operator and One IEE

Core IEE \$11,654/IEE x 1 IEE = \$11,654
 Supp. Info. 312/operator x 1 op = 312
 A/V Info. 1,439/operator x 1 op = 1,439
 YEAR ONE TOTAL ESTIMATE: \$13,405

YEAR TWO (3.5% on \$13,405) = \$13,874
 YEAR THREE (3.5% on \$13,874) = \$14,360

TOTAL MAXIMUM OVER THREE YRS = \$41,639
 AVERAGE MAX. PER YEAR PER OP = \$13,880

"Revised" IEE for One Operator and One IEE

Revised IEE \$2,980/IEE x 1 IEE = \$ 2,980
 Supp. Info. 312/operator x 1 op = 312
 A/V Info. 1,439/operator x 1 op = 1,439

"Multi-Year" IEE for 13 Operators and 4 IEEs - COST

INITIAL YEAR:

Revised IEE \$2,980/IEE x 4 IEEs = \$11,920
 Supp. Info. 312/operator x 13 ops = 4,056
 A/V Info. 1,439/operator x 13 ops = 18,707
 YEAR ONE TOTAL ESTIMATE for 13 operators = \$34,683 = \$2,668/operator

YEAR TWO (3.5% of \$4,056 + 18,707 = \$22,763) = \$23,560 = \$1,812/operator
 YEAR THREE (3.5% of \$23,560) = \$24,385 = \$1,876/operator

TOTAL MAXIMUM OVER THREE YEARS = \$82,628
 AVERAGE MAX. OVER 3-YEARS PER OP = \$ 6,356
 AVERAGE MAX. PER YEAR PER OPERATOR = \$ 2,119 = \$2,119/operator

"Multi-Year" IEE for 13 Operators and 4 IEEs - BURDEN

INITIAL YEAR:

Revised IEE 40 hrs/IEE x 4 IEEs = 160 hours
 Supp. Info. 5 hrs/operator x 13 ops = 65 hours

YEAR ONE TOTAL ESTIMATE:	\$ 4,731	A/V Info. 20 hrs/operator x 13 ops	= 260 hours	
		YEAR ONE TOTAL ESTIMATE for 13 operators	= 485 hours	= 37 hours/operator
YEAR TWO (3.5% on \$4,731)	= \$ 4,896			
YEAR THREE (3.5% on \$4,896)	= \$ 5,067	YEAR TWO (65 hrs + 260 hrs)	= 325 hours	= 25 hours/operator
		YEAR THREE (65 hrs + 260 hrs)	= 325 hours	= 25 hours/operator
TOTAL MAX. OVER THREE YEARS	= \$14,694			
AVERAGE MAX. PER YR PER OP	= \$ 4,898	TOTAL MAXIMUM OVER THREE YEARS	=1,135 hours	
		AVERAGE MAX. OVER 3-YEARS PER OP	= 87 hours	
		AVERAGE MAX. PER YEAR PER OPERATOR	= 29 hours	= 29 hours/operator

Exhibit 1C: CEEs - ESTIMATED RESPONDENT BURDEN AND COST

ICR Activity: CEEs Cost/Yr	Legal \$230/hr	Manager \$76/hr	Technical \$65/hr	Clerical	Respondent \$27/hr	Labor Hrs/Yr	Capitol/ Cost/Yr	O & M Startup Cost	No. of Cost	Total Respondents	Total Hrs/Yr
<u>Environmental Documentation</u>											
1. Study the regulations	3 \$ 690	3 \$ 228	3 \$ 195	0 \$ 000	9	\$ 1,113	None	Copying \$ 300			
2. Search reference sources for existing information and compile information from company records	1 230	2 152	25 1,625	0 000	28	2,007		Mailing 60			
3. Prepare CEE and submit	3 690	5 380	127 8,255	10 270	145	9,595					
4. Revise in response to EPA's comments and submit	2 460	5 380	46 2,990	5 135	58	3,965					
					240	\$ 16,680		\$ 360	1	240	\$ 16,680 360
											\$ 17,040
<u>Post-Expedition Assessment & Verification</u>											
1. Prepare A/V information and submit	2 \$ 460	5 \$ 380	50 \$ 3,250	3 \$ 81	60	\$ 4,171	None	Copying \$ 25			\$ 4,171
					60	\$ 4,171		Mailing 15			40
								40 \$	1	60	\$ 4,211
TOTALS										300	\$21,251

YEAR ONE	300	\$21,251
YEAR TWO (3.5% estimated CPI escalation rate on \$21,251)	300	21,995
YEAR THREE (3.5% estimated CPI escalation rate on \$21,995)	300	22,765
TOTAL ESTIMATED POTENTIAL BURDEN and COST:	900	\$66,011
AVERAGE EST. BURDEN and COST PER YEAR PER OPERATOR:	300	\$22,004

Assumptions:

- Exhibit 1C represents the estimated burden and cost for CEEs. In fact, no CEEs were submitted during the four austral summer seasons the Interim Final Rule has been in effect. For purposes of estimating the potential maximum burden and cost estimate associated with CEEs over the three-year life of the ICR, the three-year projection assumes submittal of one CEE per year for each of the next three years. Although one respondent per year is estimated for purposes of the cost calculations, EPA anticipates that the actual number of nongovernmental expeditions with activities that will likely proceed with less than minor or transitory impacts may well be reduced to less than one respondent per year.
- Estimates for preparation of a CEE are based on estimated time that would be needed to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.8, comprehensive environmental evaluation.
- The cost estimates are based on consideration of assumed comparable estimated costs for EPA personnel, except for the Attorney rate which is an estimate of the commercial

rate. The EPA estimated rates used in the calculations are fully loaded, that is, they incorporate overhead and fringe benefits.

ID. REPORTING FOR EMERGENCIES - ESTIMATED RESPONDENT BURDEN AND COST

ICR Activity: Emergency Reports	Legal \$230/hr	Manager \$76/hr	Technical \$65/hr	Clerical \$27/hr	Respondent Hrs/Yr	Labor Hrs/Yr	Capitol/ Cost/Yr	O & M Startup Cost	No. of Cost	Total Respondents	Total Hrs/Yr	Total Cost/Yr
<u>Reporting for Cases of Emergency</u>												
1. Initial Report	5 \$ 1,150	5 \$ 380	20 \$ 1,300	2 \$ 54	32	\$ 2,884	None	Copying \$				\$ 17,390
2. Full Report	5 1,150	25 1,900	175 11,375	3 81	208	14,506		150				180
					240	\$ 17,390		Mailing		1	240	\$ 17,570
								30				

								-				
								\$180				
<u>Post-Emergency Assessment & Verification</u>												
1. Prepare A/V information and submit	2 460	5 380	50 3,250	3 81	60	\$ 3,791	None	Copying \$				\$ 3,791
					60	\$ 3,791		25				40
								Mailing		1	60	-----
								15				\$ 3,831

								-				
								\$				
								40				
TOTAL										300	\$21,401	

There were no emergencies that required reporting during the four austral summer seasons the Interim Final Rule has been in effect. An incident requiring emergency reporting could occur in the subsequent years. The following cost estimates are not additive, however, since only one such emergency in 10 years is estimated.

YEAR ONE	1	\$21,401
YEAR TWO (3% estimated CPI escalation rate of \$21,401)	1	22,150
YEAR THREE (3% estimated CPI escalation rate for \$22,150)	1	22,925

Assumptions:

1. Reporting for Cases of Emergency is based on the Proposed Rule at Section 8.10, Cases of emergency, which requires notice and reporting for activities taken in cases of emergency which would have otherwise required the preparation of a CEE. The estimate is based on reporting requirements only, not the actual cost of the emergency response action. The burden and cost estimate assumes one such emergency per 10 years.
2. Only one incident requiring emergency reporting is estimated to occur over a 10-year period. In fact, there was no emergency reporting during the four austral summer seasons the Interim Final Rule has been in effect.
3. The cost estimates are based on consideration of assumed comparable estimated costs for EPA personnel, except for the Attorney rate which is an estimate of the commercial

rate. The EPA estimated rates used in the calculations are fully loaded, that is, they incorporate overhead and fringe benefits.

Exhibit 2A: PERMs - ESTIMATED FEDERAL GOVERNMENT BURDEN AND COST

ICR Activity: PERM Respondents	EPA Hrs/Yr	EPA Cost/Yr	NSF \$63 or 44/hr	DOS \$63 or 44/hr	Other Govt. \$63 or 44/hr	Government \$63 or 44/hr	Labor \$63 or 44/hr	Capitol/ Hrs/Yr	O & M Cost/Yr	No. of Startup Cost	Total Cost	Total
<u>PERMs from U.S.-Based Operators:</u>												
1. Post PERM receipt on WWW, provide copies to interested Federal agencies and public, if requested	1	\$ 44	0 \$ 0	0 \$ 0	0 \$ 0	1	\$ 44	None	Copying \$ 30 FR Pub. 0			
2. Review PERM and any public comments, provide comments to and consult with operator	4	252	2 126	1 63	1 63	8	504		Store Files 10			
3. Provide copies of revised/final PERM to interested Federal agencies, review, and notify operator, if necessary	2	126	0 0	0 0	0 0	2	126		----- \$ 40			
4. Maintain file	1	44	0 0	0 0	0 0	1	44					\$ 718 40
						12	\$ 718			1	12	\$ 758
<u>Post-Expedition Assessment & Verification</u>												
1. Review A/V information - NOT REQUIRED FOR PERMs	0	\$ 000	0 \$ 000	0 \$ 000	0 \$ 000	0	\$ 000	None	None			
						0/yr	\$ 000/yr			0	0	\$ 000
TOTAL											12	\$ 758

YEAR ONE	12	\$ 758	
YEAR TWO (3.5% estimated CPI escalation rate on \$758)	12	784	
YEAR THREE (3.5% estimated CPI escalation rate on \$784)	12	811	
TOTAL ESTIMATED POTENTIAL BURDEN and COST:	36	\$ 2,353	
AVERAGE EST. BURDEN and COST PER YEAR PER OPERATOR:	12	\$ 784	

Assumptions:

1. Exhibit 2A represents the estimated burden and cost for PERMs. In fact, no PERMs were submitted during the four austral summer seasons the Interim Final Rule has been in effect. For purposes of estimating the potential maximum burden and cost estimate associated with PERMs over the three-year life of the ICR, the three-year projection assumes submittal of one PEI year for each of the next three years. Although one respondent per year is estimated for purposes of the cost calculations, EPA anticipates that the actual number of nongovernmental ex with activities that will likely proceed with less than minor or transitory impacts may well be reduced to less than one respondent per year.

2. Estimates for review of a PERM is estimated as 25% of the respondent's time, or 10 hours, to prepare a PERM that would be in compliance with the Proposed Rule at Section 8.4, prepare environmental documents, generally, and Section 8.6, preliminary environmental review, and two hours for administrative activities.
3. Cost and burden associated with preparation of higher level EIA documentation, if necessary, is addressed in Exhibits 2B (IEEs) and 2C (CEEs).

Exhibit 2B: IEEs - ESTIMATED FEDERAL GOVERNMENT BURDEN AND COST

ICR Activity: IEE Hrs/Yr Cost/Yr	EPA \$63 or 44/hr	NSF \$63 or 44/hr	DOS	Other Govt. \$63 or 44/hr	Government \$63 or 44/hr	Labor Hrs/Yr	Capitol/ Cost/Yr	O & M Startup Cost	No. of Cost	Total	Total Respondents
<u>Environmental Documentation</u> <u>MODEL 1: "Core" IEE</u> 1. Post IEE receipt on WWW, provide copies to interested Federal agencies and public, if requested 2. Review IEE and any public comments, provide comments to and consult with operator 3. Provide copies of revised/final IEE to interested Federal agencies, review , and notify operator, if necessary 4. Maintain file	.5 \$ 22	0 \$ 0	0 \$ 0	0 \$ 0	.5	\$ 22	None	Copying \$261 File Storage 10*	See: Table 2	See: Table 2	
	25 1,575	29 1,807	12 756	4 252	70	7,812		----- \$271			
	10 630	0 0	0 0	0 0	10	630		*Includes A/V Information			
	1.5 66	0 0	0 0	0 0	1.5	66					\$ 8,530 271
		0 0			82	\$ 8,530					----- \$ 8,801
<u>Environmental Documentation</u> <u>MODEL 2: "Revised" IEE</u> 1. Post IEE receipt on WWW, provide copies to interested Federal agencies and public, if requested 2. Review IEE and any public comments, provide comments to and consult with operator 3. Provide copies of revised/final IEE to interested Federal agencies, review, and notify operator, if necessary 4. Maintain file	.5 \$ 22	0 \$ 0	0 \$ 0	0 \$ 0	.5	\$ 22	None	Copying \$ 261 Store Files 10*	See: Table 2	See: Table 2	
	17 1,071	15 945	6 378	0 0	38	2,394		----- \$ 271			
	2 126	0 0	0 0	0 0	2	126		*Includes A/V Information			
	1.5 66	0 0	0 0	0 0	1.5	66					\$ 2,608 271
		0 0	0 0	0 0	42	\$ 2,608					----- \$ 2,879
<u>Supplemental Information</u> 1. Review supplemental information	1 \$ 63	0 \$ 0	0 \$ 0	0 \$ 0	1	\$ 63	None	Included in Cases 1 and 2, above	See: Table 2	See: Table 2	\$ 63

<u>Post-Expedition Assessment & Verification</u>								Copying \$ 15 File Storage *			
1. Review A/V information	7 \$ 441	5 \$ 315	2 \$ 126	1 \$ 63	15	\$ 945	None	\$ 15 *Included in Cases 1 & 2 above	See: Table 2	See: Table 2	\$ 945 15 \$ 960

Assumptions:

1. IEEs would need to comply with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.7, initial environmental evaluation.
2. A "Core" IEE and associated supplemental information comprises the IEE package for the initial submittal of an IEE by an operator.
3. A "Revised" IEE and associated supplemental information comprises the IEE package for a current year's submittal developed through revision of a previous year's submittal.
4. A "Multi-Year" IEE consists of a "Revised" IEE and the associated supplemental information in the initial year and, for each of the subsequent four years, an annual submission of the advance notice and confirmation that the information provided in the Multi-Year IEE is unchanged.
5. Supplemental information for purposes of the costs estimated in Exhibit 2B and Table 2 refers to supplemental information submitted regarding the specifics of the tours/expedition (e.g., dates, number of tours, etc.) rather than supplemental information of a more technical nature that is incorporated into the "Core" or "Revised" IEE by reference. The one hour for review of the supplemental information is assigned to EPA to simplify the model and calculations.

TABLE 2. IEEs - TOTAL ESTIMATED POTENTIAL BURDEN AND COST FOR THE THREE IEE MODELS, 3.5% ESCALATION RATE

"Core" IEE for One Operator and One IEE

Core IEE	\$8,530/IEE x 1 IEE	= \$ 8,801
Supp. Info.	63/operator x 1 op	= 63
A/V Info.	960/operator x 1 op	= <u>960</u>
YEAR ONE TOTAL ESTIMATE:	\$ 9,824	
YEAR TWO (3.5% on \$9,824)		= \$10,168
YEAR THREE (3.5% on \$10,168)		= \$10,524
TOTAL MAXIMUM OVER THREE YRS		= \$30,516
AVERAGE MAX PER YEAR PER OP		= \$10,172

"Revised" IEE for One Operator and One IEE

Revised IEE	\$2,879/IEE x 1 IEE	= \$ 2,879
Supp. Info.	63/operator x 1 op	= 63
A/V Info.	960/operator x 1 op	= <u>960</u>
YEAR ONE TOTAL ESTIMATE:	\$ 3,902	

"Multi-Year" IEE for 13 Operators and 4 IEEs - COST

INITIAL YEAR:

Revised IEE	\$2,879/IEE x 4 IEEs	= \$11,516	
Supp. Info.	63/operator x 13 ops	= 819	
A/V Info.	960/operator x 13 ops	= <u>12,480</u>	
YEAR ONE TOTAL ESTIMATE for 13 operators	= \$24,815		= \$1,909/operator
YEAR TWO (3.5% of \$819 + 12,480 = \$13,299)	= \$13,764		= \$1,059/operator
YEAR THREE (3.5% of \$13,764)	= \$14,246		= \$1,096/operator
TOTAL MAXIMUM OVER THREE YEARS	= \$52,825		
AVERAGE MAX. OVER 3-YEARS PER OP	= \$ 4,063		
AVERAGE MAX. PER YEAR PER OPERATOR	= \$ 1,355		= \$1,355/operator

"Multi-Year" IEE for 13 Operators and 4 IEEs - BURDEN

INITIAL YEAR:

Revised IEE	42 hrs/IEE x 4 IEEs	= 168 hours
Supp. Info.	1 hrs/operator x 13 ops	= 13 hours
A/V Info.	15 hrs/operator x 13 ops	= 195 hours

YEAR TWO (3.5% on \$3,902) = \$ 4,038
YEAR THREE (3.5% on \$4,038) = \$ 4,179

TOTAL MAX OVER THREE YEARS = \$12,119
AVERAGE MAX PER YR PER OP = \$ 4,040

YEAR ONE TOTAL ESTIMATE for 13 operators = 376 hours = 29 hours/operator

YEAR TWO (13 hrs + 195 hrs) = 208 hours = 16 hours/operator
YEAR THREE (13 hrs + 195 hrs) = 208 hours = 16 hours/operator

TOTAL MAXIMUM OVER THREE YEARS = 792 hours
AVERAGE MAX. OVER 3-YEARS PER OP = 61 hours
AVERAGE MAX. PER YEAR PER OPERATOR = 20 hours = 20 hours/operator

Exhibit 2C: CEEs - ESTIMATED FEDERAL GOVERNMENT BURDEN AND COST

ICR Activity: CEE Hrs/Yr Cost/Yr	EPA \$63 or 44/hr	NSF \$63 or 44/hr	DOS	Other Govt. \$63 or 44/hr	Government \$63 or 44/hr	Labor Hrs/Yr	Capitol/ Cost/Yr	O & M Startup Cost	No. of Cost	Total Respondents
<u>CEEs from U.S.-Based Operators:</u>										
1. Post CEE receipt on WWW, provide copies to interested Federal agencies and public, if requested	2 \$ 88	0 \$ 0	0 \$ 0	0 \$ 0	2	\$ 88	None	Copying \$2160 FR Pub. 290 Store Files 10*		
2. Prepare/publish FR notices for receipt of draft CEE and NOA for final CEE; copy and transmit final CEE to Parties	1 44	0 0	5 22 0	0 0	6	264		----- -		
3. Review draft CEE and any public comments, provide comments to and consult with operator	40 2,520	36 2,268	14 882	16 1,108	106	6,678		\$2460*		
4. Provide copies of revised/final CEE to interested Federal agencies and public, if requested, and to Parties, review, and notify operator, if necessary	5 315 2 88	5 315	3 189 3 132	1 63	14 5	882 220		*Includes CEE and A/V Information		
5. Maintain file			0 0	0 0	2	88				\$ 8,220 2,460
	2 88	0 0			135	8,220			1	135
										\$ 10,680
<u>Post-Expedition Assessment & Verification</u>										
1. Review A/V information	14 \$ 882	9 \$567	4 \$252	3 \$ 189	3 0	\$ 1,890	None	Copying \$ 30 FR Pub. 0 Store Files *		
					3	\$ 1,890/yr		----- -	1	30
					0/yr			\$ 30 * Included above		\$ 1,920
TOTALS										165 \$12,600

YEAR ONE	165	\$12,600
YEAR TWO (3.5% estimated CPI escalation rate on \$12,600)	165	\$13,041
YEAR THREE (35% estimated CPI escalation rate on \$13,041)	165	\$13,497
TOTAL ESTIMATED POTENTIAL BURDEN and COST:	495	\$39,138
AVERAGE EST. BURDEN and COST PER YEAR PER OPERATOR:	165	\$13,046

Assumptions:

1. Exhibit 2C represents the estimated burden and cost for CEEs. In fact, no CEEs were submitted during the four austral summer seasons the Interim Final Rule has been in effect. For purposes of estimating the potential maximum burden and cost estimate associated with CEEs over the three-year life of the ICR, the three-year projection assumes submittal of one CEE per year for each of the next three years. Although one respondent per year is estimated for purposes of the cost calculations, EPA anticipates that the actual number of nongovernmental expeditions with activities that will likely proceed with less than minor or transitory impacts may well be reduced to less than one respondent per year.

2. Estimates for review of a CEE is estimated as 50% of the respondent's time, or 120 hours, to prepare a CEE that would be in compliance with the Proposed Rule at Section 8.4, preparation of environmental documents, generally, and Section 8.8, comprehensive environmental evaluation, with an additional 15 hours for administrative activities, and 50% of respondent's time for assessment and verification procedures for review of the information.

3. EPA would publish Federal Register notices for domestic CEEs, and the Department of State would publish the Federal Register notice and circulate copies of CEEs to all Parties and others that may request copies.

Exhibit 2D: Reporting for Emergencies - Estimated Federal Government Burden and Cost

ICR Activity: CEE Hrs/Yr Cost/Yr	EPA \$63 or 44/hr	NSF \$63 or 44/hr	DOS	Other Govt. \$63 or 44/hr	Government \$63 or 44/hr	Labor Hrs/Yr	Capitol/ Cost/Yr	O & M Startup Cost	No. of Cost	Total	Total Respondents
<u>Reporting for Cases of Emergency</u>											
1. Notify Parties							None	Copying			
2. Provide initial and full report to interested Federal agencies and review	0 \$ 0 25 1,575	0 \$ 0 25 1,575	25 \$ 1,575 14 882	0 \$ 0 26 1,638	25 90	\$ 1,575 5,670		FR Pub. 0			
3. Provide full report to Parties		0	15 945		15	945		Store Files 10			
4. Review A/V information	0 0	0 10	4 252 4 176	0 0	30 5	1,550 220		----- -			\$ 9,960 2,160
5. Maintain files	10 630 1 44	630 0 0		6 378 0 0	----- 165	----- \$ 9,960		2170	1	165	----- \$12,120
TOTAL										165	\$12,120

YEAR ONE		165	\$12,120
YEAR TWO (3.5% estimated CPI escalation rate of \$12,120)	165	12,544	
YEAR THREE (3.5% estimated CPI escalation rate for \$12,544)	165	12,983	

Assumptions:

1. Reporting for Cases of Emergency is based on the Proposed Rule at Section 8.10, Cases of emergency, which would require notice and reporting for activities taken in cases of emergency which would have otherwise required the preparation of a CEE. The estimate is based on reporting requirements only, not the actual cost of the emergency response action. The burden and cost estimate assumes one such emergency per 10 years.
2. Only one incident requiring emergency reporting is estimated to occur over a 10-year period. In fact, there was no emergency reporting during the four austral summer seasons the Interim Final Rule has been in effect. An incident requiring emergency reporting could occur in the subsequent years. The cost estimates for reporting for cases of emergency are not additive because only one such emergency in 10 years is estimated.
3. Estimates for review of an Emergency Report is estimated as 50% of the respondent's time to prepare the Emergency Report that would be in compliance with the Proposed Rule at Section 8.10, or 120 hours, and 50% of respondent's time for assessment and verification procedures for review of the information, or 30 hours, with an additional 15 hours for administrative activities.
3. The Department of State is responsible for notification of Parties and follow-up coordination with the Parties; hours have been allocated to the DOS accordingly.

Exhibit 2E: Coordinating Review of Information Received from Other Parties - Estimated Federal Government Burden and Cost

ICR Activity: Other Party Docs. Respondents Hrs/Yr	EPA Cost/Yr	NSF \$63 or 44/hr	DOS \$63 or 44/hr	Other Govt. \$63 or 44/hr	Government \$63 or 44/hr	Labor	Capitol/ Hrs/Yr	O & M Cost/Yr	No. of Startup Cost	Total Cost	Total
<u>Coordinate Review of Information Received from Other Parties</u>											
1. Prepare and publish FR notice of receipt of draft CEE, provide copies to interested Federal agencies and public, if requested	0 \$ 0	0 \$ 0	6 \$ 378	0 \$ 0	6	\$ 378	None	Copying \$ * FR Pub 290 Store Files 10 \$ 300	See: Assum. 2, below	See: Assum. 2, below	See: Assum. 2, below
2. Review draft CEE and provide inter-agency response to Party	25 1,575	25 1,575	26 1,638	14 882	90	5,670					
3. Provide copies of other documents (including final CEEs, annual list of IEEs, national procedures, significant monitoring information) to interested Federal agencies and public, if requested	0 0	0 0	5 315	0 0	5	315		* Copying per document: Draft CEE \$360 Final CEE 180 Other doc. 50 IEE list 10			
4. Post receipt of significant monitoring information on WWW and provide copies to interested Federal agencies and public, if requested	0 0	0 0	6 378	0 0	6	378					
5. Maintain files	0 0	0 0	3 132	0 0	3	132					
					110	\$ 6,873					

Assumptions:

1. The Department of State would be responsible for compliance with the Proposed Rule at Section 8.12, Coordination of reviews from other Parties.
2. The calculations in Exhibit 2E are based on receipt of a CEE from another Party. One Draft CEE was received from other Parties during the four austral summer seasons the Interim Final Rule has been in effect other than the annual list of IEEs. There is no way to anticipate receipt of environmental documents from the Parties, other than the annual list of IEEs, on an annual basis. There is no burden or cost to the respondents associated with receipt of documents from the Parties, therefore, the costs are not further defined.

Exhibit 3: SUMMARY - ESTIMATED RESPONDENT/FEDERAL GOVERNMENT BURDEN AND COST

CHART 1: Summary for Respondents and Federal Government - Estimated Total and Annual Average hourly burden and cost for each type of environmental documentation that could be submitted by a Respondent under the Proposed Rule

	PERM	Core IEE	Revised IEE	Multi-Year IEE	CEE	Emergency Reporting
<u>Respondent</u>						
Year 1	40 \$ 3,617	185 \$13,405	65 \$ 4,731	37 \$ 2,668	300 \$ 21,251	300 \$21,401
Year 2	40 \$ 3,744	185 \$13,874	65 \$ 4,896	25 1,812	300 \$ 21,995	300 \$22,150
Year 3	40 \$ 3,875	185 \$14,360	65 \$ 5,067	25 1,876	300 \$ 22,765	300 \$22,925
TOTAL	120 \$11,236	555 \$41,639	195 \$14,694	87 \$ 6,356	900 \$ 66,011	
Annual Average	40 \$ 3,745	185 \$13,880	65 \$ 4,898	29 \$ 2,119	300 \$ 22,004	
<u>Federal Government</u>						
Year 1						
Year 2	12 \$ 758	98 \$ 9,824	58 \$ 3,902	29 \$ 1,909	165 \$ 12,600	165 \$12,120
Year 3	12 \$ 784	98 \$10,168	58 \$ 4,038	16 \$ 1,059	165 \$ 13,041	165 \$12,544
	12 \$ 811	98 \$10,524	58 \$ 4,179	16 \$ 1,096	165 \$ 13,497	165 \$12,983
TOTAL						
Annual Average	36 \$ 2,353	294 \$30,516	174 \$12,119	61 \$ 4,063	495 \$ 39,138	
	12 \$ 784	98 \$10,172	58 \$ 4,040	20 \$ 1,355	165 \$ 13,046	
TOTAL	156 \$13,589	849 \$72,155	369 \$26,813	148 \$10,419	1395 \$105,149	
Annual Average	52 \$ 4,529	283 \$24,052	123 \$ 8,938	49 \$ 3,474	465 \$ 35,050	

CHART 2: Summary for Respondents and Federal Government - Estimated Total and Annual Average hourly burden and costs based on the anticipated level and type of environmental documentation most respondents would likely submit under the Proposed Rule

Multi-Year IEE	Total Hourly Burden		Total Cost	
	3-Year Total	Annual Average	3-Year Total	Annual Average
Respondent (13 of 14 operators)	1,135 hours	29 hrs per op per year	\$ 82,628	\$2,119 per op per year
Federal Government	792 hours	20 hrs per op per year	\$ 52,825	\$1,355 per op per year
TOTALS	1,927 hours	49 hrs per op per year	\$135,453	\$3,474 per op per year

NOTES: 1. Average Annual is the average per year per respondent

2. Chart presents the maximum burden and cost for a respondent. Chart 2 presents the maximum burden and cost based on

the anticipated level and type of environmental documentation a respondent would likely submit under the Proposed Rule.

3. The burden and cost estimates for Emergency Reporting assume one such emergency per 10 years.

**PART B OF THE SUPPORTING STATEMENT
STATISTICAL SURVEY**

This collection of information does not use or is otherwise based on a statistical survey.

**PART C OF THE SUPPORTING STATEMENT
RESPONSE TO PUBLIC COMMENTS ON THE PROPOSED ICR**

LIST OF ATTACHMENTS

- Attachment 1: 40 CFR Part 8, Environmental Impact Assessment of Nongovernmental Activities in Antarctica; Interim Final Rule, *Federal Register*, Vol. 62, No. 83, Wednesday, April 30, 1997, 23538-23549.
- Attachment 2: 16 U.S.C. 2403a.
- Attachment 3: Intent to Prepare an Environmental Impact Statement for the Final Rule for Environmental Impact Assessment of Nongovernmental Activities in Antarctica; Notices, *Federal Register*, Vol. 62, No. 90, Friday, May 9, 1997, 21611-25613.
- Attachment 4: International Association of Antarctica Tour Operators (IAATO), Membership Directory at: http://www.iaato.org/members_list.html.